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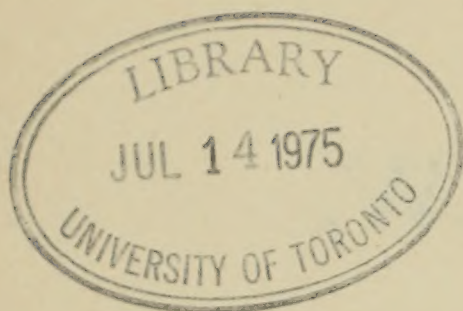
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CONTENTS

OF VOLUME THIRTEEN, 1882.

RECENT PROGRESS OF LIBERTY IN FRANCE	1
William A. Heydecker. (<i>Boston, Mass.</i>)	
RELATIONS OF LIFE INSURANCE TO THE PUBLIC	13
Jacob L. Greene. (<i>Hartford, Conn.</i>)	
REFORM IN TAXATION	21
Worthington C. Ford. (<i>Brooklyn, N. Y.</i>)	
A GLANCE AT OUR MARITIME AFFAIRS	34
Lieut. W. W. Kimball, U. S. N. (<i>Washington, D. C.</i>)	
THE RELATION OF THE FAMILY TO THE STATE	53
President M. H. Buckham. (<i>Montpelier, Vt.</i>)	
INTEROCEANIC COMMUNICATION	66
George Butler Griffin. (<i>Washington, D. C.</i>)	
BOOK REVIEWS	76
ON SOME CHANGES IN THE LEGAL STATUS OF THE CHILD	83
Florence Kelley. (<i>Philadelphia, Pa.</i>)	
WEATHER FACTORIES	98
Felix L. Oswald. (<i>Reliance, Tenn.</i>)	
LOCAL GOVERNMENT IN ENGLAND	106
Robert P. Porter. (<i>Washington, D. C.</i>)	
THE INTELLECTUALITY OF WOMEN	123
Mrs. A. M. G. (<i>Boston.</i>)	
AN URGENT LEGISLATIVE DUTY	137
Edward T. Peters. (<i>New York.</i>)	
BIMETALLISM	151
J. W. Söderholm. (<i>London, England.</i>)	

THE SUEZ CANAL	160
Victor M. Hollinsworth. (<i>Vineland, N. J.</i>)	
THE SOUTH AND SOUTHERN QUESTIONS	169
Lauren Dunlap. (<i>Chicago, Ill.</i>)	
INFLUENCE OF FOREIGN ISSUES ON AMERICAN POLITICS	182
Robert J. Creighton. (<i>New York.</i>)	
CHARLES OSBORN'S PLACE IN ANTI-SLAVERY HISTORY	191
Oliver Johnson. (<i>New York.</i>)	
THE PROPER FUNCTIONS OF RENT	207
Charles Frederick Adams. (<i>New York.</i>)	
SOME RECENT STUDIES IN PRE-HISTORIC ARCHÆOLOGY	226
Henry W. Haynes. (<i>Cambridge, Mass.</i>)	
POLITICAL RECOLLECTIONS AND NOTES	238
George W. Julian. (<i>Irvington, Ind.</i>)	
A FORMULA FOR CALCULATING THE ECONOMIC EFFECTS OF OUR TARIFF	248
Frederick B. Hawley. (<i>New York.</i>)	
THE PROGRESS OF CIVIL SERVICE REFORM	261
Gamaliel Bradford. (<i>Boston, Mass.</i>)	
THE CHEMICAL INDUSTRY OF THE UNITED STATES	273
Henry Bower. (<i>Philadelphia, Pa.</i>)	
AMERICAN SHIPPING AND SHIPBUILDING	280
Henry Hall. (<i>New York.</i>)	
OUR EXCESSIVE REVENUE ENGENDERING NATIONAL COR- RUPTION	299
W. D. Kelley. (<i>Philadelphia, Pa.</i>)	
GOLD AND CALIFORNIA	309
Thomas Donaldson. (<i>Philadelphia, Pa.</i>)	
POLITICAL RECOLLECTIONS AND NOTES	321
George W. Julian. (<i>Irvington, Ind.</i>)	
THE SPIRIT OF THE INDEPENDENT MOVEMENT	330
Duncan C. McMillan. (<i>New York.</i>)	
AMERICAN PARTY ISSUES, OLD AND NEW	339
Ernest Howard Crosby. (<i>New York.</i>)	

UNIFICATION OF MONEYS, WEIGHTS AND MEASURES	348
Alfred B. Taylor. (<i>Philadelphia.</i>)	
ANCIENT AND MODERN UNIVERSITIES	365
Wilder Smith. (<i>Rockford, Ill.</i>)	
THE TRANSCENDENTALISM OF NEW ENGLAND	381
John Orr. (<i>Cambridge.</i>)	
RAILROAD COÖPERATION	399
C. W. Bullen. (<i>New York.</i>)	
A FEW HINTS ON THE FOREIGN POLICY OF THE UNITED STATES	415
Bainbridge Wadleigh. (<i>New Hampshire.</i>)	
ENGLISH VIEWS OF AMERICA	426
Samuel W. McCall. (<i>New York.</i>)	
THE TRUTH OF ANTI-SLAVERY HISTORY	437
George W. Julian. (<i>Irvington, Ind.</i>)	
WHAT THE TARIFF LAWS HAVE DONE FOR US	455
John Roach. (<i>New York.</i>)	
RAILWAYS IN MEXICO	477
M. Romero. (<i>Mexico.</i>)	
THE POLICE PROBLEM	501
William Ralston Balch.	
NEED OUR WORKING WOMEN DESPAIR	517
Florence Kelley. (<i>Philadelphia, Pa.</i>)	
A NATIONAL UNIVERSITY	527
Charles F. Thwing. (<i>Cambridge, Mass.</i>)	
DECLINE OF AMERICAN SHIPPING	533
John Roach. (<i>New York.</i>)	
A PICTURE OF NORTHWESTERN DEVELOPMENT	571
Charles K. Backus.	
EXTRA-TERRITORIAL TAXATION	579
Roger Foster. (<i>New York.</i>)	
PARTYISM AND PARTY SPIRIT	587
William Brackett.	

THE INTERNATIONAL REVIEW.

JULY, 1882.

THE RECENT PROGRESS OF LIBERTY IN FRANCE.

THAT in the case of communities, as of individuals, there has been a constant tendency to variation leading to improvement, and that a power making for progress and righteousness is traceable in the life of nations, history and philosophy stand ready to attest. At times apparently retrograding, we believe, nevertheless, that it has ever been forward and upward. To feudalism modern society owes the idea of federations; absolute monarchy, which rose out of the ashes of the former, developed nationality.

To maintain that feudalism was a backward step in civilization, or that absolute monarchy, when compared to republican Greece, argued ill for man's progressive development, would be to disregard them as necessary links in the chain, which they undoubtedly were—a chain which is still growing, but each link of which brings us nearer to the goal of ideal government, whatever that government may be.

And so in the history of particular nations. Each has started with much before it to learn, and has endeavored to acquire that knowledge. It has experimented, and, as is the case in other realms, sometimes with success; sometimes, alas, it has deplorably failed. But, as in an endeavor to decompose water by an electric current from too weak a battery, it would be rash and absurd, upon failing, to declare that water is not composed of oxygen and hydrogen, neglecting to consider attendant circumstances, so does it not seem thoughtless and hasty to carry this temper into history?

In the delineation of national character the historian usually refers to France as eminently the country of levity and of vacillation; the home

of factions, and the cradle of intrigues, crises, and revolutions. Because it has been her lot to try all forms of government, it is alleged that, unless a firm central mode of administration be adopted and adhered to, such is the character of the French people that periodically they will change their rule and their rulers. Because they have changed, therefore they will change; because the French Revolution terminated in the Napoleonic empire, these careless and superficial observers of events would have us believe that the French Republic is likewise destined to so inglorious a death. It is forgotten that, as Guizot truly says, France is the center, the focus, of European civilization, and "not only is this the case, but those ideas, those institutions which promote civilization, but whose birth must be referred to other countries, have, before they could become general or produce fruit—before they could be transplanted—to other lands or benefit the common stock of European civilization—been obliged to undergo in France a new preparation; it is from France, as from a second country more rich and fertile, that they have started forth to make the conquest of Europe. There is not a single great idea, not a single great principle of civilization, which, in order to become universally spread, has not first passed through France."

It is forgotten that the French Revolution was the recoil from the wretched degradation of the court and aristocracy during the reigns of the Louis; from the dreadful tyrannies of Richelieu, of Mazarin, and of Madame de Pompadour. To break down the power of the nobles, to annihilate them by wholesale butchery, and to make the rabble supreme—such was the aim of the Reign of Terror. The government of the Thiers and the Gambettas, the period of wisdom and discretion, calls for the humbling of the nobles, not for their extermination, and purposes to improve the condition of the populace, but not to make it a tyrant. To judge, then, of French republicanism by the French Revolution, would be to judge of a structure by the ruins which once occupied its site. The French Revolution was the bursting of the shackles which the Middle Ages had imposed on the common people; the French Republic is the cementing of the bonds of union between all classes.

But now let us consider, without further preface, the subject before us—the recent progress of liberty in France. Frequently is the charge made that the French people are difficult to govern, and hence are unfitted for republican institutions. To us the statement seems so wide of the mark as to warrant the use of the expression of a prominent writer that

it is separated from the truth "by the whole diameter of being." What the French have evinced and need to correct is too great a readiness to accept whatever form of government may at the time claim their adhesion. They are indeed too easy to rule.

It is in this respect perhaps more than in any other that in republicanism we hail a reform. In the very act of changing the government we fondly hope that the Republic laid the foundations of stability. Every day becoming more and more a government by the people and for the people, it calls *upon* the people to be more watchful of their interests and more slow to accept innovations. The great lesson of the last ten years, which events seem to show has been duly learned, is to move slowly and to distinguish between republicanism and radicalism—between liberty and license. Else what of the undeniable success of so-called Opportunism, and what of the fact that the late Premier of France, now a moderate republican, was in 1870 classed among the extreme radicals?

Nothing is easier than to establish any organization in time of prosperity; but it was amid cloud and darkness that the Republic was born. It rose at the fall of Sedan, when the flower of the French army had surrendered to the enemy. It found France overwhelmed by her foes, her fields laid waste, her capital besieged, St. Cloud destroyed, Versailles at the mercy of the invader, her villages and towns in ashes, her armies demoralized and panic-stricken, Communism inciting to violence, her people disheartened and in despair! Amid reëchoing applause and public rejoicing, the Empire had declared war; but now amid gloom and defeat the Republic had to sue for peace! At this juncture a man then impetuous and rash, young and without experience, was chosen Dictator. It was the Gambetta of 1870. But he was soon replaced by one of calmer temperament and greater wisdom, formerly a companion of Guizot and De Rémusat, by education and by sympathy a monarchist, but with an insight into the future which allowed of nothing but complete conversion to republicanism—Louis Adolphe Thiers—who showed then as an actor in history, occupying the presidential chair of France, he was even greater than as the author of the "Consulat et l'Empire." This man, while he lived, directed the course of the popular party, and, since his death, his influence and his example have been the inspiration of his successors.

The tendencies of this new form of government could be studied from as many points of view as there are members in the Cabinet. Judicious reform has been the endeavor of them all.

Perhaps in no department has there been such thorough renovation and such astounding development as in that of public education. It was evident to all that the ignorance under the Empire had caused the downfall of France. The geography of the country was better known at Berlin than in Paris; the German trooper was more conversant with the French roads than many an officer in the Imperial army! This was the culmination of the rule of the "Nephew of his Uncle." It was an unanswerable argument in favor of public education, and touched the sensitive chord of patriotism, which responded by voting grant after grant for the furtherance of primary instruction. This was the dawn of the new era in which France severed her connection with the institutions of the past, and set forth on a new path. She has learned that the hope of any worthy government is in the young, and the strength thereof is derived from their education and their ability to grasp and cope with the difficulties which continually beset a people. And at this juncture we are met by the interesting question of universal suffrage.

The political interests of France and of the United States, in so many cases identical, seem here to be utterly at variance. That which, if wisely managed, may and will prove the boon of the one, threatens, unless promptly considered, to become the bane of the other. France has only Frenchmen to deal with—a fixed and invariable quantity. She has a certain amount of ignorance to educate, and a certain quantum of superstition to extirpate. But here it is not so. The large yearly contribution of incapacity which is the unfortunate result of this country's well-founded boast that it is the haven of the suffering and oppressed is endangering the very institutions which have made the country what it is. Under existing circumstances universal suffrage in this country would seem to be a grievous mistake. It has ceased to be the corner-stone of its republicanism; it has become its worst and direst foe.

Primary instruction in France is to-day one of the most engrossing topics of conversation, and one of the greatest cares of the Government. Already it is a worthy monument to the work of the young Republic, especially if we credit the statement, claimed to be founded on statistics recently published, that a greater proportion of children are in attendance upon schools than in England, Germany or the United States.

And now we are brought face to face with a question of vast importance and of dreadful possibilities. Here again the interests of

America and of France are not akin, and the average American does not realize the fullness of his blessings, which should evoke from his soul an unceasing thanksgiving to the God who has so favored his land. On the east and on the west this country reaches to the sea, whose perfect neutrality can never be questioned, and she has neighbors in nowise to be dreaded on the north and on the south. But look at the position of France; look indeed at that of any of the continental powers! Such are the passions and jealousies of men that a foreign *entourage* cannot fail to engender perpetual discord. To play upon these defects of human nature, to impede the progress of humanity, and to remind men that the true law is that brother should hate brother, is the occupation to-day of some of the most consummate geniuses of Europe. It has been dignified by the name of diplomacy, in speaking of which it was once well said that "language was intended to conceal thought." In recent times has not perhaps even the Peace Congress at Berlin given proof of this?

But, in casting out such a suggestion, far be it from us to attempt to shield or to exempt any nation from this general charge. We believe them to be alike selfish—alike bent upon securing their own good at the expense, if need be, of their neighbors. Truly, unfortunate; but, if it be so, surely it is the part of wisdom to act accordingly.

For this reason, for the sake of more effective offense and defense, the French army has been largely remodeled and put upon a footing similar to that of Germany, and at the present writing, within a few days two million four hundred thousand men could be mobilized, trained and equipped for scientific warfare. From a conversation recently held with a member of the "Conseil Général," it would appear that the French soldier, as a soldier, is in every respect equal to the German; but as to the leaders, only the occasion for action can determine.

In treating of military matters Germany has since 1870 been taken as the standard because she has been considered to have the most perfect organization, and because it is recognized that in the course of years another conflict will necessarily arise. To any one who has recently been in the newly annexed provinces of Alsace and Lorraine, the thought comes irresistibly, "There must be an end to this awful state of things." God grant that it may be a favorable one. On every hand there is dissatisfaction. Individual conversations prove it; emigration proves it; the various elections prove it; all things go to show that the annexation was a very unfortunate thing, not only for the provinces themselves, but also for the two countries, and that the eleven years

which have elapsed since the Frankfort treaty have not contributed to improve the condition of affairs.

And so Europe has the appearance of a huge camp, all the principal powers feeling it necessary to keep up enormous standing armies, which means the unproductiveness of from three to five of the best years of the youth of the Continent. It is unfortunately forgotten that a nation's strength is not so much in its guns and bayonets as it is in its plows and its universities, for, judging by Germany, by Russia, by France, it would seem as if the various European stocks as fondly cherish to-day the title of "Nation of Warriors" as did the Persians or the Macedonians. When in Egypt Napoleon cried out to his troops, "From the height of yonder pyramids forty centuries look down upon you," was it, could it have been, a gaze of approbation? These pyramids, which had seen the advanced civilization of the ancient Egyptians, which later witnessed the incursion of the hordes of Cambyzes, which stood when all else fell before the tremendous power of Rome, could they be found among the approvers of a system in the nineteenth century of which the foundation was the shedding of blood? We think not. Considered from this highest, the humanitarian, standard, all must admit that these extensive armaments are not a step in the right direction, and that, if righteousness is to prevail and our highest ideals are to be realized, it is a work that must be undone. But we must likewise remember that a nation cannot safely indulge in Utopian schemes, and, like the ostrich, bury its head in the sand, thinking itself secure by refusing to see its foes. It would be worse than madness to urge such reforms before the time be at hand. It must be remembered that even the great teacher, whose influence was incontestably in favor of civilization, confessed that he came not into the world to bring peace, but the sword. And so, all things considered, in restocking her arsenals, in reforming her commissariat, in extending and improving her fortifications, and in perfecting her military discipline, France must be considered to have taken a step forward.

We have now left for consideration one very important phase of French history. To present it candidly and satisfactorily compels a brief retrospect. France has been from very early times a Roman Catholic country. She was under the sway for several centuries of an ardently Romish family, the house of Bourbon; her Prime Ministers, many of them shining lights in the episcopacy of that church, and two of the most noted of them, Richelieu and Mazarin, Cardinals. So

thoroughly devoted to that faith has she been that she has won the title of "Elder Sister of the Church."

But when the Continent was aroused by the doings of Huss, in Bohemia, and of Savonarola, in Italy, movements which culminated in the tremendous religious upheaval of the sixteenth century, under the leadership of Luther, Calvin and Zwingli, even priest-ridden France felt these effects, and there sprang up in her midst the party known as the Huguenots. But, alas for her! their industry and their manhood, their patriotism and their devotion to principle, were destined to benefit other lands and other people. The Edict of Nantes, which their protector and friend, Henry IV, had framed, was revoked by Louis XIV, from his magnificent palace at Versailles. The subsequent persecutions drove large numbers of them to distant shores, and from that time French Protestantism has been on the decline. It was not till Voltaire, whose influence his enemies have thought to weaken by exaggerating his faults and overlooking his virtues, struck blow after blow at the mother church, that their lives and property were in any degree safe. The next great event which contributed to the promotion of religious liberty was the Revolution; but it was a great leveler, a great destroyer, and when its force had been spent it was found that not Catholicism alone, but all evangelical religion, had received a well-nigh fatal blow. The result is that ever since France has been mainly divided into two classes, the bigots and the infidels.

No one who has studied history fails to acknowledge the wonderful organization of the Roman Church, nor its tremendous power as a factor in European politics, though, thank God! since 1870 this is no longer so marked. With the final deprivation of temporal power there has been a loss of prestige. But, as a consequence of this old-time political influence, the various governments under which France has lived (we might almost say, survived), from the time the Concordat was drawn up between Napoleon I and the Vatican to that of the downfall of Louis Napoleon at Sedan, have ever been allied in name with the Papacy. Naturally the opportunities for evangelistic movements were *nil*, and Protestantism became inert and even a stagnant body. But when, on the 4th of September, 1870, the dissolution of the Empire was announced and the third Republic proclaimed, it was a signal for the renewal of hope in the hearts of the friends of evangelical Christianity the world over. They had not, however, realized the true condition of affairs; they had forgotten that the Concordat still existed; and that even in republican France there were many

ready to sacrifice patriotism to blind bigotry. Extremes meet. It is Rome that has furnished us some of the most brilliant examples of loyalty and devotion to country—it is from Rome that we have received the Ultramontane theory!

As late as 1875 and 1877 treason was rampant in the Elysée, instigated by a *côterie* under the direct tutelage of the Jesuits. At length the result of the senatorial elections of January, 1879, settled the fate of Marshal McMahon, and showed that the country would no longer countenance a hypocritical government. “*Se soumettre ou se démettre*,” was Gambetta’s epigram. McMahon chose the latter, and Grévy was elected in his stead. A new opportunity was then afforded to true liberty, and the cause of Protestantism was thereby strengthened. Two Cabinets have since been noticeable for the astonishing fact that five out of the nine members were Protestants. Indeed, in the present Cabinet there are certainly three, and possibly four.

An incident which powerfully shows the contrast between the France of to-day and that of Louis XIV, is related by Dr. Bacon: “A most dramatic illustration of the changed relation of Protestantism was that given on Sunday, November 2, 1879, when, the meeting-house at Versailles being under repairs, Protestant worship was held, by permission of the authorities, in a hall of the palace of Louis XIV, at Versailles. The place chosen was under the hall of the ‘*Œuil de Bœuf*,’ not far from the chamber where in 1715 the Grand Monarque expired. It is the vast room decorated by Cotellet with paintings of the royal residences. Before a great canvass representing the palace and park of St. Cloud had been set up a temporary pulpit, and through the crowded congregation passed the president of the Consistory of Paris and the pastor of Versailles, each bearing a copy of the Holy Scriptures, and with them the officers of the congregation. A young French poet who was among the worshippers utters the sentiments which the occasion could not but inspire: ‘Not without a glow of honest pride we passed before the colossal statue of Louis, stretching out his hand as if to defend his palace against the intrusion of modern and heretical ideas. And when we heard the Bible and the Huguenot liturgy read in that building, in which, just overhead, Mme. de Maintenon had induced Louis XIV to sign the revocation of the Edict of Nantes, well nigh two hundred years ago, we were thrilled with emotion, and blessed God from our inmost heart. At that solemn moment our thoughts seemed to bring back the dead. On the one side, Bossuet, acclaiming in his mighty voice the New Theodosius and

the New Constantine, under the very roof in which we were singing the old 138th psalm:

“‘Il faut, grand Dieu, que de mon cœur
 La sainte ardeur,
 Te glorifie;
 Qu'à toi, des mains et de la voix
 Devant les rois
 Je psalmodie;’

that court in which superstition and immorality joined hands to hold France in subjection; those courtiers, beribboned and beplumed, among whom the King moved about as a God come down to earth—these on the one side. On the other side, our proscribed fathers of the ‘pretended reformed religion,’ forced to quit the ruins of their churches, hunted and tortured by the dragoons, gathering in caves and forest clearings, those glorious Camisards who harried and foiled the troops of Baviile, and Villars, and Louvois, that had vainly dreamed of exterminating the Reformation. The day of our vindication was come! What would have been the rage of the one, what the joy of the other, could they have foreseen that in two centuries the very Palace of Versailles would resound with the worship of a Protestant congregation.”

To-day France may be said to enjoy in great measure religious liberty. She has seen the evil and weakness resulting from repression, and is learning to associate her misfortunes with Ultramontanism. Her utter humiliation in the war of 1870 was a signal blow to clericalism, and her people have been more ready ever since to heed the teachings of others.

It was under these circumstances that a series of astonishing movements originated, the most important of which was that of Mr. McAll, begun in August, 1871. The wonderful influence of his Mission Station upon the working classes of Paris and of the other large cities is observable to all who have considered the subject while abroad. He has now opened forty-three stations, of which twenty-eight are in Paris, and has won the confidence of the Government. Once, when applying for the requisite permission to open a new place of worship, he was met by the following encouraging reply from the Prefect of Police, himself a free-thinker: “Permission is granted you. May you succeed, for each station that you open is more potent for order than a force of police.”

“This is what we want; come and preach to us a pure Gospel.

We are done with the priests, to a man of us." It was under the stimulus of this new Macedonian cry, coming from a man of the people, that Mr. McAll began his wonderful work in France. Sunday finds these halls opened by him well filled by an attentive gathering of working people, who come to hear "*la nouvelle religion*" (as they call it) expounded to them. Besides these, numerous meetings are held on different evenings of the week. I have been surprised, when present at some of them, to find such large and earnest gatherings in Belleville, at Les Ternes and in the Latin Quarter, three widely separated points of the city, where certainly the outward surroundings were not such as to attract people who for years have been accustomed to the pomp and forms of the Romish liturgy. In these stations there are no lighted tapers and brilliant stained windows to attract the eye, but simply plain white walls, with a few illuminated texts and a modest pulpit and platform. Punctuality and regularity at the services are rewarded by the gift of a neat Testament, and, judging by the number which have been distributed, it would seem that there is a great anxiety manifested by the people that each should own a copy of this book, so long withheld from them.

Mr. McAll has also organized a highly successful mission to the boys and girls of Belleville, which it was my good fortune to visit three years ago, and never did I have a more attentive audience than these when I spoke to them of the boys and girls in American Sunday-schools. Close by this mission is another, doing also a very grand work. It is known as the Mission of the Iron Room, under the guidance of a German lady, Mlle. de Broën, who is assisted by many English ladies. On Sundays she holds several religious services. During the week she strives so to educate the people as to better their worldly condition. Much to my surprise, and with great pleasure, I saw, one Wednesday evening, several classes of children gathered about intelligent English ladies, diligently studying the English language. Truly, a remarkable thing is this woman's work, conducted peacefully and without molestation in the heart of Belleville, the centre of Communism.

This same Mlle. de Broën it is who some time since had the courage to rise in an assembly of Atheistic Communists and address them on their duties to God. These people, whatever their theories, always admire pluck, and they received her with applause. She was complimented on that occasion by the president of the meeting.

Not inconsiderable, besides, has been the influence which Mr. McAll

has exerted in revivifying the slumbering energies of the French Protestants themselves, and we observe to-day great improvements in the management of Sunday-schools and a slight tendency to an aggressive policy.

France, becoming more truly republican, is alive with discussions of liberty in its various spheres. She is learning to distinguish between liberty and license, and, unlike the first and the second, the third Republic has decided that justice and policy dictate that the rights of all must be protected. This progress is well shown by the rejection of the famous Article VII of the Ferry bill, which would indeed have proved a serious obstacle to religious freedom. The expulsion of the Jesuits and other unauthorized communities which followed this vote did not in any way stultify the Republic, whose first duty is to check treason.

Up to this time the vexed question of disestablishment has been left untouched; but religious questions are considered everywhere; public discussions and the press are teeming with them; the orthodox and the liberals are vying with one another in their endeavors to attract public attention and secure public support. That Roman Catholicism is disappearing from France, as some Utopians fondly imagine, we cannot fairly assume; that of late it has lost a great deal of ground, we may confidently assert and believe. The friends of the evangelical movement are growing more and more hopeful, but many of them have unwisely and unguardedly overstated the facts. But it may be asked, "What is the prospect of this work in which so many great and good men are engaged? Is it the excitement of a day, or is it destined to endure?" Time alone can decide whether these men's hope that ere long France will be ranged on the side of Protestantism is to be realized, or whether such writers as Buckle have rightly interpreted the Latin race characteristics when they state that such a form of religion is unsuited to their temperament. Be that as it may, there is a tendency, and a strong one, to throw off the galling yoke of the clergy, and refuse to submit to the suggestions and commands of Rome. Catherine de Medicis may precipitate a St. Bartholomew, Louis XIV revoke an Edict of Nantes, a Marshal McMahon may dally with the Jesuits, but it is all in vain—the spirit of Luther is abroad. Freedom is in the air.

In this conflict between the laity and the hierarchy, in this endeavor to purge French politics and crush the pernicious clerical faction, America has opportunity to help her sister Republic. Is it not

fitting that she comes to the assistance of France in her effort to rid herself of her ultramontane foe, as a hundred years ago France came to aid the Colonies to conquer their trans-oceanic oppressor? And, as Monsieur Réveillaud well suggested, if this be done, our descendants may yet see a statue in some French harbor—a companion piece to that destined for New York bay—America and France enlightening the world as to true freedom, tolerance, and national and international happiness!

Thus briefly we have attempted to give the reader a general idea of the recent progress of liberty in France. Many matters have necessarily been omitted which would, we think, point in the same direction. But we would not, in drawing to a close, leave an impression unduly exalted. Republicanism in France has the inertia of centuries of prejudice to overcome, and a mine of intrigues to bring to the light of day. The mills of liberty grind slowly; all that we can say is that we fondly hope that coming years will show that they have ground aristocratic caste feeling and so-called titular superiority so exceeding fine that they may be scattered to the four corners of the earth, and that the place thereof may know them no more.

Republicanism in France is still an experiment, as indeed it is elsewhere, but as year after year rolls by it gathers to itself new strength. This much it is safe to say, that, if it be the highest type of government, the form adopted by France is the most perfect yet developed, combining, as it does, some of the advantages of both the English and the American systems. It is, in a word, a Cabinet Republic, in which the administration is kept in more constant and close connection with the temper of the people. One good sign we are glad to attest: the people are gradually growing independent of particular party leaders. Should this continue and develop, the chances for a *coup d'état* will be differentiated out of sight.

We have hastily considered the vast improvements in public education, than which nothing was more needful; we have alluded to the reorganization of the army, and spoken of the development of religious liberty. And now in a country daily becoming better educated, with an army equal to any other, with an unfettered press and with untrammelled consciences, what may we not hope, what may we not expect? With the exception of Switzerland, an anomaly in Europe, indeed the only first-class power which does not bow down before a sovereign, may we not picture for her a glorious destiny?

The great Napoleon, taking up the sword of his ancestors, sought by

it to found an empire stretching from Russia to the ocean, but he failed. With his downfall the career of France did not come to a close; so also after Sedan, and to-day it is but beginning anew. She walks hand in hand with the Republic of the Alps and the Republic of the New World, pursuing the same path, seeking the same goal; one with them in spirit, united by the bond of similar government, devoted to the accomplishment of the same great end—the elevation of mankind. With the sympathies of the common people back of them, is it vain to say that their's is a holier crusade than that which marshaled the hosts of Palestine—a crusade against despotism, a struggle for complete political and religious freedom; and, with the firm establishment of republicanism in these three countries, would it indeed be among the fancies of an idle brain to hope for the realization in coming time of Victor Hugo's dream—the United States of America and the United States of Europe?

Ye who in 1851 dared to stand up for principle, and preferred banishment to political apostasy, work on, and you will reap your reward.

WM. A. HEYDECKER.

THE RELATIONS OF LIFE INSURANCE TO THE PUBLIC AND OF THE PUBLIC TO LIFE INSURANCE.

TO know the precise place a given interest should hold in the regard of the community, and the treatment it should receive at the hands of the law-making power, it is necessary to know the precise character and importance of the function performed for the community by that interest.

The community is an aggregate of single human lives; its institutions are the conditions and modes under and by which these lives exert their energies; its culture, character and material wealth, its mental activities and its industries, are the aggregate products of these energies. The value of each life to the community lies in the quantity and quality of its product—its culture, character and material product in whatever form. We are now concerned mainly with the value of the life, viewed from the standpoint of its material product.

It is right to consider as capital that which produces money or its distinct equivalent; its economic place and value cannot be assigned or measured in any other terms. The life which produces money for any other life or lives earns it by any labor, whether in sowing wheat, making an engine or writing a book, which does that which has a recognized and continual money equivalent, and which stands to others for money or what money will buy, is itself capital, has a distinct measurable money value, to be ascertained at any time by taking the present worth of what it earns combined with its chances of duration. Each productive life has its present earning power; each healthy life has its period of probable or average duration by the law of mortality; that earning power during that period has a readily calculable money value, and, as the producer of the value, is capital.

If the life dies before its average lifetime is complete, by so doing it has failed to yield its product; its earning power during that remainder of average lifetime which will not be lived is lost; so much definite money value, capital, is lost.

For this loss to the community there is but one remedy—the replacement of the lost life by another of equal productive capacity. This is effected only by the processes of birth, nurture, education and training. These the community can assist or retard by its standards and modes of social life, and the presence or absence of facilities dependent on public opinion and legislation. Where the family is best guarded, its maintenance made easiest, the moral standard kept highest, thorough and sufficient intellectual training given to all, and honest labor of all kinds held in the highest respect, young and growing life will have its highest potential value, its widest opportunity of present development, and its greatest possibilities of future result. Here the replacement of lost lives will be readiest and most complete.

But, again, the community is merely an aggregate of smaller communities—families. Each productive life, as a rule, has about it and dependent upon it several unproductive and helpless lives which it has called into being, made helpless, and for which it is responsible to the community, and from which the forces of the community are to be recruited.

A man may be said to create his family. Its existence is due to his voluntary act; and, so long as it remains distinctively his, it is perfectly helpless, dependent upon him for all its needs, and subject in all things lawful to his control. His obligation to and for these helpless lives is, therefore, entire and absolute. To them his life and its product, present

and future, are peculiarly capital, their financial dependence. It is to give them bread day by day; it is to educate and train them for their future service to themselves and to the community.

Take a man thirty-five years of age, in sound health, earning \$1,000 a year. If money is worth 4 per cent. interest, the present value of his earnings for his probable after lifetime, by the American table, is \$17,500. That is the cash value of his life to his family; that is the actual money-equivalent lost by them if he dies; that is what they are in constant danger of losing; that is what he is imperatively bound to protect them against losing; that is the value of the substitute he must have always ready for that contingency. If he has that sum properly invested apart from all risks of business, and if the income from it be not needed in addition to his earnings for the current uses of the family, he may be said to have ready a substitute for the money value of his life.

How many Americans earning that sum, or two or three times that sum, with dependent families, have that substitute or any considerable part of it ready and really available? The loss goes on at a rate few appreciate. Take 100,000 men aged thirty-five, in good health, earning \$1,000 a year each; the present money value of their lives to their families is \$1,750,000,000; and during that year there will be lost about \$15,655,500; ten years later the loss is at the rate of \$17,021,000; twenty years later it is at the rate of nearly \$23,000,000; the only question as to the community is upon what families will it strike; as to the family, the only question is when will it strike; as to the whole number, so many lives will go; as to the total value of all, so much value will be lost. Death, like fire, destroys utterly. What was, is not.

In the absence of an investment for a sufficient amount and of a proper kind to be a complete substitute for the value lost, how shall the disastrous effect of the loss to the families on which it falls be averted? There is but one possible way. The loss can be taken from the family on which it falls only by placing it on those who live. The only remedy for the family is distribution over the community; bearing each others burdens. Instead of the family losing its \$17,500, the survivors must lose each a small sum—his share of the \$17,500—and so the family is made financially whole. That, in substance, is all there is of life insurance. All the rest is mere method.

But see what it is to that family. It is daily bread, a home, a training, an education, a position, a standing ground for the future, and a

fair start in its struggle. It is all that the material product of the lost life could have been; the rest of the loss is beyond our help.

What is it to the community? It is the preservation in complete integrity of its unit—the family—keeping in its loving bond, under the tenderest care, the wisest nurture, the soundest training and the strongest safeguards, those growing, forming lives which, with their character and training, are to be a part of itself. It is its defense against shattered homes and scattered families; against ignorance, pauperism, vice and crime. It is the only means whereby the average of mankind can be set in families without hazard to the community. It is the only adequate material protection of the very sources of society, and of its forces.

That is the essential function of life insurance for the community. What higher function can any human institution fulfill?

What now should the community do for life insurance? It should provide proper guards for its practical administration, and then let it alone to do its beneficence without hindrance; provide sufficient legal remedies for the protection of its beneficiaries against breach of contract, and for the protection of itself against fraud, to which it is in some points much exposed; then, let it grow.

The main point in which life insurance, like other kinds of insurance, just now receives much legislative attention is as to its capacity to bear taxation. There is a strong tendency to tax corporations—which can be easily compelled to state truly the amount and value of their property, which is in sight and easily reached—all they can bear. The legislator who represents the unobtrusive, but numerous and voting, farmers, whose votes control the machinery by which their farms are taxed, knows no easier road to favor, with no questions asked, than to shift a part of the expenses of the State and all its legislative extravagances upon any body of money or property lying in sight, regardless of what it represents or is to be used for.

It is one purpose of this paper to show why life insurance ought not to be so treated. It may be useful to take a comparison between it and something else which is well known, with relations pretty well fixed in the public mind, and with which life insurance is frequently compared—that is, the savings banks.

But the analogy between savings banks and life insurance is purely accidental, superficial and misleading. The single point of similarity or suggestion of resemblance is in the fact that each receives and accumulates money. This receipt and accumulation is the purpose of

the bank. It is a mere incident to the purpose of a life insurance company.

Deposits in savings banks represent prosperity and thrift—a saving and investment of money formerly acquired, or of surplus income—just as much as if the amounts had been separately invested by the individual owners, instead of being joined with other funds for a supposed advantage of investment. In their essential character they do not differ from the investment of money by the individual owner in real estate or any other form of productive property or interest-bearing securities. They represent actual wealth in full personal possession, control and enjoyment, put out at usury. The only title of these deposits to special consideration at the hands of the taxing power lies, not in their own essential character, but in the circumstances of the average depositor. To the depositor the deposit represents in all particulars just what real estate, stocks or bonds represent to him who owns them. There is no difference. The deposits are the principal and increase of existing available wealth for which the depositor has no present use.

Insurance simply apportions the infliction of loss among many, instead of leaving it on one. It has nothing to do with wealth, earnings or production except by its machinery to make the whole community share in each member's loss of such wealth. It does not restore that which was destroyed. To take as a tax any portion of the money used to adjust the distribution of the loss either increases the loss to the community who suffers it for the individual by making them pay the tax in addition to their payment of his loss, or leaves by so much the loss on the individual. Either way it is destroyed property, not property in existence and use, which is the occasion and subject of the tax, and the amount of destruction apportioned among the community is the measure of the tax. This is clear enough in every form of fire, marine or ordinary property insurance, if one but looks beyond the mere action of machinery to what it really accomplishes. As such losses are pretty uniform from year to year, a uniform premium sufficient only for the yearly losses, expenses and reasonable profit to the capital protecting the contracts is charged, and no accumulations therefrom are necessary, and there is no suggestion of even an outward similarity to a savings bank.

Life insurance is identical in principle and actual function with all other forms of property insurance; the obscurity as to that identity lies in the fact that people do not ordinarily think of life as actual property or capital; and the difference in machinery grows out of the

fact that the loss of life among a given body of persons is not uniform from year to year, as the average loss by fire is, but increases in a rapidly ascending ratio with advancing age. Every productive life as truly represents capital and property as does any other thing capable of money production; its loss is as truly a money loss to those who are dependent upon its earnings, and to the community of whose aggregate activity it forms a part. It is entirely in this view that its practical and legal status is fixed.

Whereas houses may not burn and ships may not sink, life must end; the risk therefore rises to the maximum of certainty; the element of chance is only as to time. The money loss is therefore great and certain.

The ratio of deaths, and therefore of money loss, increases each year—*e. g.* :

Suppose ten thousand men aged thirty agree by a contract, which cannot be broken and is not broken, that on the death of each the survivors will assess themselves enough to pay the family of the decedent \$10,000. During the first year there would be eighty-four deaths and the assessment would be \$84.70 each; the tenth year it would be \$104.20 each; the twentieth year it would be \$161.45 each; the thirtieth year it would be \$313.20 each; in the fortieth year there would be 270 deaths, and the 3,883 survivors would be assessed \$695.34 each, and so on. Now these assessments and payments do not represent production or prosperity; here is no creation or increase of wealth. Simply, one by one each family has lost the money value of its head, his earnings and pecuniarily valuable care; and, that the family might not be overwhelmed thereby, the survivors have divided the loss among themselves. That is all the simple machinery of that company has effected. To have taken any portion of the assessment or premium as a tax would have left just so much of the loss still weighing on the family. To have added a tax to the assessments would have increased the loss actually suffered by the survivors on whom it fell.

These assessments or premiums have no suggestion of savings bank in them. There is nothing but pure loss, destruction of capital, and the distribution of that loss over the whole community. But a company cannot actually be managed that way. A man will not agree to pay \$84.70 the first year, and \$695.34 the fortieth year, and \$3,224 the sixtieth year, and all the intervening growing assessments. As the strength and value of such a company lies in its permanency, a mode must be found of avoiding such increase of assessment as would

drive out members—that is, there must be a uniform assessment or premium from year to year, and this will be an average of the naturally increasing annual assessment just mentioned, which average will be larger than the assessment in the earlier years and smaller than those of advanced age. And the excess of the uniform premiums above the early assessments must be *reserved* to meet the later assessments when they rise above the uniform premium.

Assuming that these items of excess will, while so reserved, earn 4 per cent., and taking again the 10,000 men aged thirty agreeing to bear each other's loss to the amount of \$10,000 each, the uniform annual assessment or premium of each so long as he lives would be \$169.70, disregarding expenses. The progress will be as follows:

<i>Year.</i>	<i>Premium income.</i>	<i>Losses.</i>	<i>Excess of premium above losses reserved.</i>	<i>Excess of losses above premium income.</i>
1st.....	\$1,697,000	\$840,000	\$857,000	.....
10th.....	1,546,000	940,000	606,815	.....
20th.....	1,367,443	1,280,000	87,443	.....
30th.....	1,101,014	1,970,000	.....	\$868,786
40th.....	704,764	2,700,000	.....	1,995,236
45th.....	473,970	2,660,000	.....	2,186,028
50th.....	261,238	2,170,000	.....	1,908,762
55th.....	106,572	1,290,000	.....	1,183,428
60th.....	25,794	490,000	.....	464,206

It is unnecessary to go further.

The obvious point is that these items of excess are simply contributions to losses paid for convenience before the losses occur. They still represent nothing but loss and its distribution. Their essential character is not changed by the temporary holding in reserve.

The fact that while so held this reserve is invested, changes only this: that it makes the uniform yearly assessment or premium somewhat less than if it were held in actual currency, and also somewhat modifies the rates at which the reserve is diminished toward the end.

But it is this temporary reserve and investment while held that constitutes the superficial analogy to the savings bank, which is strengthened to ordinary observation by the fact that, instead of starting with a full membership and actually dying out as in my illustration, new members are constantly succeeding the decedents, and new items of reserve are continually replacing those drawn out.

While there is an appearance of a permanent reserve, there is really a succession of reserves.

Another fact which has misled many is this: from the foregoing arithmetical analysis, it is evident that the last surviving policyholders under the uniform annual premium cannot get their policies paid from current premium receipts, but must have them paid from the items previously reserved. In our illustration, out of the 10,000 there will be just one living at the beginning of the sixty-seventh year of the contract, or at the age of ninety-seven. He will pay his \$169.70 at the beginning of the year, and die during the year, so that there would need to have been on hand at the beginning of the year, exclusive of the \$169.70 paid, \$9,445.68 to secure the payment of his \$10,000 at the end of the year. The general proposition is that, as the members approach the limit of life, the ratio of premium receipts to losses incurred declines with accelerated rapidity, and the receipts become entirely inadequate to meet the losses; and, therefore, there must be in reserve to meet these losses a sum which, with its interest and the premiums to be received, shall pay them as they fall in before the limit of age is reached, and shall also equal the face of the few policies which do not suffer loss until the limit of life is reached. In form, the sum is determined by an aggregation of the individual chances of living and dying. But, whether considered as to the individual or in the aggregate, it is evident that the reserve represents nothing different in character in the slightest degree from the yearly assessments for losses under the first form of illustration.

In a word, to those who do not carry the analysis far enough to distinguish clearly between the form and the substance, the form is confusing, and this confusion exists with most American writers who have undertaken to instruct the public and legislatures.

Regarding the company, as it really is, as an association of persons bound to share each other's losses, we easily see the essential nature of the reserve as prepayments in part of future losses, thus placing a part of the burden of the late and heavy losses on the early years of lighter loss, and the operation of interest is simply to assist to this end; and therefore a tax on the reserve is a tax on the losses, either increasing the loss to the number who bear it together, or by so much preventing them from making it good to the individual who has suffered or is to suffer it; either way it is an abhorrent thing, measuring men's financial obligation to the State, not by the property it protects, but by the losses they suffer; taxing not what they have, but what they have lost.

But regarding the company again, as it also really is, as a corporate entity, charged with the practical adjustment of the associative purpose by means of a definite contract, and standing therefore as a third person between the several associates in respect of their individual rights, and between them and the whole world, the corporation evidently becomes at once indebted for the items of this reserve as they come into its possession, to the future losers, whose losses are thus partly prepaid in the present. Every company treats the reserve as a debt; so does every State, naming the reserve as a debt or liability, and making the possession of equivalent assets the test of solvency, and solvency is but the ability to pay debts; and not only in the aggregate, but each company now regards the items contributed to the reserve by each member as being so far a debt to him in case he drops his policy that it gives him a paid-up insurance for such amount as these will buy as a single premium.

To sum up: From the associative point of view, the reserve is a partial payment of heavy losses while actual losses are still light. A tax on the reserve is therefore a tax on losses, either increasing by so much the amount lost by the community, or else by so much leaving the loss where it first fell, on the stricken family. From a corporate point of view, it is a debt, and cannot be described otherwise; and as to the corporation, a tax upon it is a tax upon its debt, and a seizure of a portion of the means of paying the debt.

Mr. Sumner was not wrong when, as Congress was hunting for property to help bear the war burdens in 1862, and it was proposed to tax life insurance, he said it would be a tax on a tax, and a barbarism.

JACOB L. GREENE.

REFORM IN TAXATION.

THERE is an earnest desire among the leaders of both parties to effect some radical changes in the present system of Federal taxation which may materially reduce the amount and consequent burden of taxes imposed on the people by that system. This desire is shared also by the more intelligent portion of the community, and, as of late there has been a general movement to press forward this tax reduction, it may yet become one of the leading political issues if speedy relief is

not found. This movement is based upon a correct principle. A tax, under whatever guise it may be imposed, is a burden, and is so far a hindrance to free movement and development. If we adopt the most elementary division of the factors which create wealth—land, labor and capital—and of the revenues derived from them in the form of rent, wages and profits, these revenues are alike diminished by whatever taxation falls upon them, and no one can escape its share without shifting it upon one or both of the others. In other words, a tax must fall upon some revenue or capital, and, taking a portion of it, transfers that portion to government, which consumes it unproductively. All wealth is due to productive labor, and a tax thus takes from the producers to give to a non-producer, and is a loss to the community. It is true that, when the influence of government is considered, it renders an adequate return for this portion which it takes; yet in the abstract a tax is a burden and a loss to the general community, and every such charge should be jealously scrutinized to see if an adequate return is made to the taxpayer for his loss. Although government is essential to a political society, it should be furnished as cheaply as possible, and only such charges should be laid upon the community as are essential to carry out the legitimate ends of the Government. Every dollar beyond that limit is so much subtracted from what might be available for production, and to that extent diminishes national wealth. It is more robbery than taxation, and in no way is the monopoly of government, for it is a monopoly of the strictest kind, more subject to abuse than in the exercise of the right of taxation.

The national tax system of this country is at present yielding a revenue of nearly \$150,000,000 annually in excess of all the necessary demands for Government purposes. This is in excess of all that is required for the civil service, for all the pensions, for the interest on the public debt, and for all other charges whatsoever that the efficiency of the Government and the support of the public credit demand, together with many charges of a questionable character. This excess is equivalent to an annual tax of about five dollars per capita of population. There is not the slightest reason for maintaining such an excess of taxation. There are no war clouds to be feared, the country is fairly prosperous, and the requirements of government are fulfilled. That no evil has shown itself, is not saying that no evil has been done. The body politic, like the body physical, must pay the penalty for any abuse of its functions, and no one can doubt that the present taxes are exorbitant and unnecessary, and therefore an evil.

Some change is, then, necessary in Federal taxation by which it may not only be decreased, but also based more upon sound principles of finance and the condition and needs of the people. This is by no means such a difficult subject as it is sometimes made out to be. The principles of taxation are few in number and are readily comprehended, and the only difficulty lies in the correct application of them, because the conditions, economic and social, of the various nations must exert a great influence upon the system of taxation in use. But the problem in this case is really very simple. We have given a system that has been on trial for more than twenty years, and its faults and virtues should have become apparent in that time. It is not as though a new and untried system was to be devised; the system has been thoroughly experimented, and the results are known. Moreover, it is not a question of increasing the revenue by the addition of new taxes, or modification of old charges to supply a deficiency; a surplus revenue is in existence, and the question is, What taxes shall be remitted? Yet grave errors may occur in merely knocking off taxes, and present indications are that the Republican party is about to commit such an error by adopting a policy of tax reduction which, so far from affording any relief to the interests and classes which should bear but a small proportion of the charges, will only tend to throw upon them a still heavier share of the national taxes. Nor is this policy favored on account of any lack of knowledge, but, as we shall hope to show, from interested motives.

But before entering into an examination of the Federal system of taxation, it will be well to direct attention to what may be regarded as a model system, and also to suggest some qualities that are essential to bring to a safe conclusion such a reduction of taxation as is at present needed in this country. Some attention will also be given to various forms of taxation in foreign countries, which may guide us to a proper solution of the question. With such a wide range of experience to study and to serve as a warning, it is astonishing to find how little attention has been paid to it in devising not only our Federal, but also our State, systems of taxation. It would almost appear as if our legislators had deliberately intended to make every experiment themselves, and not to be guided by precept and example.

It is in England that the details of practical finance have been carried to their highest development, and the system there employed of regulating and adjusting taxation is probably as nearly perfect as in the present condition of the people it can be. This has not only resulted from a long and varied experience of taxation in every form conceiv-

able, but also from that careful study of financial and economic matters, and the application of the results of that study to the policy of the Government, which the commercial position of England has tended to foster and develop. This union of theory and practice has carried England to the point at which she now stands, the controller of the finances of the world, and has produced a number of practical financiers who have guided the policy of the nation such as can be shown by no other nation. The result is that the system of national taxation, as distinguished from local rates and charges, is founded upon common sense and sound reasoning, and every charge can be defended on economic as well as political grounds.

Another point will deserve some extended notice. While the House of Commons really controls the finances of the Kingdom, and is the final arbiter of all questions of finance, the Chancellor of the Exchequer, if he has a following in the House, virtually has not only the direction and management of the income and expenditure, which are administrative functions, but also the regulation of tax methods, which is more a legislative function. This function is exercised when the annual budget statement is presented. When the Chancellor says he has a surplus to dispose of, he does not mean that there is deposited to the credit of the Government such a sum, but that at the end of a year from the time of his speaking, if existing conditions remain unchanged, he will have such a surplus. But now operates that peculiar feature which makes this system so admirable and worthy of imitation. No principle is more clearly recognized by English financiers than that money or wealth in the hands of the people will be better and more profitably employed than it would be by the Government, supposing, of course, that the Government has all the means that are necessary to the due performance of its proper functions. A surplus income, however, means a sum taken from the taxpayers in excess of the needs of government, and, therefore, steps are at once taken to abolish or do away with such surplus by a reduction of the burdens of taxation. In other words, anticipating a surplus, measures are taken to wipe it out. In case, however, the estimated revenue will not be sufficient to defray the estimated expenditure, new sources of revenue must be found, and existing taxes must be increased or new charges imposed. A third contingency may occur in which there may be only a small surplus anticipated, which may be wiped out by some unforeseen circumstance; in this case no increase or decrease of taxation may be made, but the incidence of the existing taxes may be so altered as to be

made more equal by shifting the tax from one class or industry of the community which is bearing more than its proportion of taxation to another, which may be taxed less than it should be. This method has the advantage of conforming taxation to changed conditions of trade and industry, or to the results of political events which may react upon the national finances; it tends, by frequent change and modification, to create a rational—and, what is more important, an equal—system of taxes. It is calculated to do the least injury to trade and industry, because it is adapted to their condition; it does not oppress the taxpayer, because it takes only such a revenue as is required to defray the legitimate charges of government. In short, it rests upon the cardinal principle that revenue should be governed by expenditure.

When the system in practice in the United States is examined, the great difference at once becomes apparent. So far from recognizing the principle that national revenue should be governed by expenditure, until very recently an exactly opposite principle has been adopted, that expenditure should be governed by revenue. Raise all the revenue that can be raised with the present taxes, and Congress will see that there is no difficulty in spending it. Is this just to the taxpayer? Is it defensible on any grounds whatever, whether of a political or economic nature? One million, fifty millions, or one hundred millions dollars of revenue may be raised in excess of all that the Government can under any possible contingency require, yet no serious attempt is made to reduce the revenue. The taxes under which this revenue is raised may be opposed to all the principles of economics, yet no attempt is made to reform them. They may be unequal in their incidence, and weigh more heavily upon particular classes or interests, yet no change is proposed by which they may be made more equal. Their effect may be to favor certain interests at the expense of others, yet no outcry against such legalized robbery is raised. These circumstances may point to two conclusions. First, that, heavy as the load of taxation is, it has not as yet acted injuriously upon the general welfare of the country, a striking illustration of the wonderful resources and productive power of the nation; and, secondly, that the people are, on the whole, indifferent to the subject of tax reform, and either from ignorance or from inclination are content to leave well alone.

This principle of conforming revenue to expenditure is recognized in many of our State systems of taxation. The State has a certain number of permanent sources of income, arising from public works, from special taxes, or from specific objects of taxation, but which may

not, and usually do not, produce sufficient to meet all the expenditure of the State Government. The estimates of revenue and expenditure are prepared, and whatever deficiency may exist is made up by a rate of taxation that may vary every year. Thus in New York State the rate of State taxation rose gradually from one-half mill in 1847 to five and nine-sixteenths mills in 1866, and in that period the rate was not the same in more than six years. The object was to make revenue meet expenditure, the former being governed by the latter.

And surely this is the only correct view to take of the matter. A tax is, as we have said, a burden, and no nation, however prosperous or advanced in material condition, can for any length of time endure a drain on its resources such as is now exerted in this country without experiencing evil results. It is useless to shut one's eyes to the fact that there are indications of over-taxation; that already taxation is producing results in this country that, when aggravated, will precipitate a revolution in our industries. With the spread of knowledge it will be recognized that the existing taxes are not what are demanded by equity or by policy, but tend to throw the greater proportion of the burden upon the very classes which are least able to bear such exorbitant charges as are made on them, and in the course of these papers this subject will be touched upon again.

What gives life to a tax system? First, it must be suited to the economic condition of the country and to the temper of the people; and, second, it must be elastic, in the sense of being readily modified so as to be adapted to the conditions of the trade and industry of a nation, and to accomplish this result it must be guided and directed by an intelligent policy. For the present, the examination of the first essential is omitted, and we will point out how our system is lacking in the second.

The Secretary of the Treasury stands at the head of the financial department of the Government, and to him alone belongs the management of receipts and expenditure according to rules laid down for his guidance by Congress. He has no discretionary power in this. Taxes are imposed by Congress, and Congress alone can direct the expenditure of the public moneys. The Secretary is only an administrative officer—a sort of chief clerk. It is true, he may recommend measures, but his power ends with the recommendation, and experience has shown that it remains unnoticed at the hands of Congress. Crying evils have existed for years and through successive administrations, and no attempt by Congress has been made to remedy them,

although attention was called to them again and again. The Secretary of the Treasury may recommend a financial policy, and urge upon Congress the necessity of adopting it, supporting his views with the strongest arguments that can be adduced; yet Congress will, in its collective wisdom, sweep it aside, and, trusting to its own knowledge of the subject, which must be imperfect, frame an entirely opposite policy, by which the action of the Secretary must be guided, although he may know that the policy, when carried out, will work injury to the interests of the country.

The manner of preparing financial measures in the House is not one to inspire confidence in its wisdom. The Committee of Ways and Means is the most important committee of the House, and prepares all revenue measures; and it would be supposed that special care would be taken in the composition of that committee, so as to make it include the best material the House can furnish. But, under the present system of allowing unlimited power to the Speaker in the appointment of the committees, it often happens that the more important positions are given for party reasons, or are made the subject of bargain to gain support in the contest for the Speakership. Under this system of appointment it is ridiculous to expect that the committee shall represent the sense of the House, or that the members shall be chosen for their special fitness for treating of the subjects which are to come before them. And, when it is considered how important committee action is becoming in the legislature, some change in the method of appointing committees would seem to be necessary. What change should be made does not belong to us to determine; but any system which would exclude mere figure-heads, who, from ignorance of the subject matter, mutely sign any report that is presented to them without inquiring into its merits, would greatly increase the efficiency of legislative action. And in no branch of the law is a more careful and accurate knowledge required than in that which relates to the revenue and expenditure of a great nation. In no department are the relations of Government to the people closer, and yet of a more delicate nature, than in the collection and disbursement of the public moneys. What is required is a ruling policy which shall be conformed to the requirements of the public service, and to the economic situation of the country, and this has not yet been furnished by congressional action.

The same complaint will also to some extent hold true in the case of the Secretary of the Treasury. As the advisors of the President, con-

stituting, as they do, a privy council, it is very natural that the members of the Cabinet should be not only of the same politics with the President, but also personal friends. Yet this method is not calculated to increase the efficiency of the Executive branch of Government. That branch is admirably organized, so as to make the responsibility of its conduct rest upon the President, and in the selection of his Cabinet the President is not restricted save by the consent of the Senate. The office of Secretary of the Treasury is in importance next to the Secretary of State, and is even more important as regards internal concerns. Yet the Secretary of State possesses such powers as are allowed to no other executive officer, and a bold and daring man may in a few months involve the country in consequences which will require years to straighten out; and he may not only enter into such negotiations without giving any intimation to Congress as to his action, but even refuse to give information when called upon to do so, on the ground that such disclosure would be incompatible with the public interests. The Secretary of the Treasury, exercising the important duties of his position, has no such discretionary powers. He must superintend the collection of the revenue, and supervise its expenditure; he must manage the public debt, and maintain the public credit, and he must manage the national currency; and yet he must act in all these important functions under the control of Congress. True, an unscrupulous Secretary might abuse his powers, if they were extended, and thus work injury to the financial interests of the country. But under the present system there have been men in the position who have gone astray from sheer ignorance of the simplest and most elementary principles that should govern their conduct. And so long as the Cabinet positions are filled as rewards for party action, or for the purpose of "harmonizing" conflicting interests, so long will the finances of the country be exposed to the ignorant and meddlesome tampering of men who are better known for their skill in manipulating conventions than for any knowledge of the laws which govern matters of trade and finance.

Let us see if in England there is any safeguard against the contingency we have just mentioned. The Prime Minister, who has since 1806 held the office of First Lord of the Treasury, is rather an honorary president than active head, and the management nominally devolves upon the other members of the Treasury Board, which exists, however, only in name, its functions having been given to the Chancellor of the Exchequer. The Prime Minister is virtually ap-

pointed by the House of Commons, and in him is vested the appointment of his Cabinet. Thus far there is no real distinction between the English and the American systems. But this Chancellor is not a mere administrative agent; he has more important functions. His most important function is to provide the means of meeting the necessary yearly expenditure on the military, naval, and civil services of the nation, a function which he exercises each year in the budget statement. He prepares the measures for remitting or increasing taxes, or for transferring charges from one class of taxpayers to another, and submits them to Parliament. Our Secretary of the Treasury may do the same, but his action then ends. The Chancellor, on the contrary, can control the acceptance of the measure by Parliament. He is present to reply to any objections that may be urged against his measure, or to advance whatever facts and arguments are necessary to strengthen his position. In this he, in fact, becomes a member of the legislative body, and occupies the position that a member of a committee in our House of Representatives does when he assumes the responsibility of engineering a measure through the House. This legislative function is of immense weight. The Premier may appoint as Chancellor a nobody; but, when his proposals come before the House, his ignorance is soon exposed, as was the case with Mr. Disraeli, when he introduced his first budget. The House of Commons may then, by their action, see that only able and competent men are appointed to the more important public positions. Is there any such check in our Federal Government? Another advantage possessed by England over this country is in her civil service, which retains a highly-trained and specialized force of administrative officers, who, by their special knowledge and experience, greatly contribute to the efficiency of the departments, and act as guides to their chiefs, the Cabinet officers.

The permanent officers of a department are the depositories of its official traditions. They are generally referred to by the political head of the office for information on questions of official practice, and knowledge of this sort acquired in one department would be useless in another. If, for example, the chief clerk of the Criminal Department of the Home Office were to be transferred to the Foreign Office, or to the Admiralty, the special experience which he has acquired at the Home Office, and which is in daily requisition for the guidance of the Home Secretary, would be utterly valueless to the Foreign Secretary or to the First Lord of the Admiralty. * * * Where a general superintendence is required, and assistance can be obtained from subordinates, and where the chief qualifications are judgment, sagacity, and enlightened political opinions, such a change of offices is possible; but as you descend lower in the official scale the specialty of function increases. The duties must be performed in person, with little or no assistance, and there is consequently a necessity for special knowledge and experience. Hence the same person may be successively at the head of the Home Office, the Foreign Office, the Colonial Office, and the Admiralty; he may be successively

President of the Board of Trade, and the Chancellor of the Exchequer; but to transfer an experienced clerk from one office to another would be like transferring a skillful naval officer to the army, or appointing a military engineer officer to command a ship of war.—*Sir George Lewis.*

In this is contained the true reason why a man who has never made any mark in finance may, on becoming Chancellor, administer wisely and temperately the affairs of that position. He has the accumulated wisdom and experience of the under officials to guide and advise him. This principle is in part recognized in this country, but, so long as there is a possibility of a "clean sweep" of officers with every change of party, a danger which should be guarded against exists. What would have followed if, when his term of office had expired, Mr. John Jay Knox, one of the most efficient officials the Government ever had, who has grown up with his office, and possesses a knowledge of its details and working which only a long experience can acquire—what would have followed if he had been forced to retire, and a new and inexperienced man had been placed in his position?

We do not mean to maintain that a new system of appointing Cabinet officers should be introduced, for that would weaken or destroy the sense of responsibility in the President, who would no longer be held accountable for their acts. The present system, so far as regards responsibility, is probably the best that can be devised. But it would be well to give the Secretary greater powers over the financial policy of the Government than he now possesses. Congress has always shown an extreme jealousy over any act of the Executive that may appear an encroachment on the legislative functions. Thus, it was claimed that Mr. Windom, when, as Secretary of the Treasury, he continued the 6 and 5 per cent. bonds at $3\frac{1}{2}$ per cent. without authority of Congress, had exceeded his powers and exercised a legislative function. But emergencies may arise when there may be no opportunity to consult Congress, or when the circumstances do not admit of delay. Congress had in this instance failed to pass a satisfactory measure for refunding these bonds, and, as they fell due before the next session of Congress, the Secretary had very properly exercised his discretion, and did what he considered was for the best interests of the country.

Were the powers of the Secretary of the Treasury increased, the office might be sought after by men fitted to fill it, and who, from their position and attainments, might influence the action of Congress. The same result would be attained did the President select his Secretary on account of his financial knowledge and ability. In looking over the

list of those who have filled the office of Secretary, it cannot be said that they have been men distinguished for their knowledge of finance, or their ability to cope with economic and commercial questions. There are brilliant exceptions, but they are few. What loss and suffering would have been saved had Congress seriously considered the question of issuing an irredeemable currency in the light of theory and experience. What could have been saved had the policy of Secretary McCulloch been carried out! The Silver bill was one of those measures which should never have been for one moment seriously considered; and a bill for the suppression of the national banks can be supported on grounds neither of economy nor of public policy. Schemes which only show the ignorance of their authors are seriously considered by Congress, and measures follow measures which tend to work incalculable injury to the industrial development of the country. Measures are passed without an accurate knowledge of their consequences, and the country is saddled with charges for which there is no reason or justice. Take, for instance, the last Pension bill, which was passed by Congress without such a careful examination of its results as was needed. The Commissioner of Pensions, who was a most competent judge, at the time protested against its passage, but Congress wished to be generous, and based its action on sentimental grounds, rather than on statesmanship. The last of this measure is not yet heard of. The present Commissioner, in a very recent estimate of what is required by this bill in the next four years, fixes the amount at \$425,000,000. It entails a new annual burden on the country of more than the annual interest charge on the public debt. Could this measure have passed Congress with a clear exposition of its results? There is no guiding policy in this flood of legislation. It is this person or that person, this class or that class, this interest or that interest, that asks for and expects to receive remedial measures. The result is that our laws are conflicting, and in no instance more so than in matters of finance, of taxation and expenditure.

Nor is anything gained by appointing a commission of experts to examine such matters. Their action is as limited as is that of the Secretary of the Treasury, and their chief function is to collect and digest facts for the future use of Congress. Their powers end with merely recommending, and Congress is no more bound to accept the conclusions of the commission than the recommendations of the Secretary. Moreover, the guiding mind is still wanting, for a commission will include many shades of opinion. A single commissioner pos-

sesses this advantage of unity of purpose and action, and is a valuable adjunct for the collection of facts and for conducting special investigations for which the Secretary of the Treasury may not have an opportunity. Some of the most careful and intelligent work was done in this way by the Special Commissioner of the Revenue, Mr. David A. Wells, until, by ill-advised economy, his office was discontinued. Yet the powers of such a commissioner ends with recommending measures to the attention of Congress. A commission composed of a number of men is inferior in many respects to the committees of Congress, as it has no power to guide its measures through Congress.

In short, in our financial policy there is lacking unity and directness of purpose. In England, and in the majority of foreign countries, measures of public policy are first examined and formulated by the leading minds, and they are carried through the legislative bodies by those who have framed them, and are familiar with their purpose and probable results. It is legislative action guided intelligently. But in this country the interests are so vast and varied, and the condition of the people is such, as to invite much reckless and ill-advised legislation. There is no guiding intelligence, and consequently little consistency in the results of legislation.

The subject of tax reform will decide the future fiscal policy of this country. The time has come when the people are aroused to the fact that taxation is excessive, and are demanding a decrease of burdens. At no time has there been needed intelligent action more than at present. In 1842 Sir Robert Peel, shifting his position, forced the commercial policy of Great Britain into new channels. It was a dangerous experiment, and one which alienated from him the majority of his followers; but his policy, as carried out by his successors, has stood the test of experience, and has benefited England beyond measure. It formed a turning point in her existence, and from that time to the present day the policy then inaugurated has never been deviated from. It may be that the United States is on the verge of taking a like step, but under more favorable conditions. There is no deficiency to contend with, but a surplus such as has never been exceeded, and the question is only what taxes shall be abolished or reduced. Yet as evil results may flow from a hasty and careless reduction of taxes as from the imposition of unequal and burdensome charges, and it is almost as difficult to determine what will be the results of abolishing a tax as of imposing one. Mr. Abram S. Hewitt, in his temperate and well-considered speech in the debate on the

tariff, has admirably called attention to the danger of ill-advised tax reduction. And, although he referred particularly to customs duties, his words will apply with equal justice to internal taxes.

A tax thus imposed for revenue at the outset, if sufficiently high, first becomes protective, and then becomes prohibitory in the natural course of events, and the whole industrial structure of the country accommodates itself to this condition of affairs. Interests of a vast and complicated nature are created, intertwining and interlacing with each other, so that any injury to one immediately reacts upon all the others.

If by any possibility, as did occur in our case, the exigencies of war require the imposition of taxation on every conceivable form of value, and upon an unprecedented scale, then the interests created are so powerful, and reach into so many remote connections, that the work of reduction becomes not only exceedingly difficult, but very dangerous to the immediate welfare of society. The long era of depression to which I have adverted was, in my judgment, caused by the great waste of capital due to the war and to the false system of finance under which we carried on the struggle. High duties were absolutely essential to meet the interest upon the public debt thus created, and, when the reaction came, it was impossible to reduce these duties without interfering disastrously with many branches of business, which were, notwithstanding these high duties, at times carried on at a loss.

Still, there is experience to serve as a guide, and only those who are blinded by interest, or ignorant of the elements of finance, can go astray. The existence of such a surplus is a source of danger, for it is a constant temptation for extravagant expenditures by the Government. "The very best of all plans of finance," says the French economist Say, "is to spend little, and the best taxation of all is that which is least in amount." It is not a wise policy to pay off the national debt at such a rate as will precipitate a financial revolution by taking away the foundation of the national banking system, and by reducing the means of investing trust and other funds of like description. Let the taxes be reduced, but let such reduction be governed by some well-recognized policy. It will not do to tinker at the taxes, modifying them to suit special classes or industries. That there are grave defects in the existing tax system cannot be denied, and they are defects which may easily be remedied. But, unless special care is taken, as great defects may be created by a new system in which the old defects are blotted out. What, then, is needed is a settled policy of tax reform, and a closer connection between Congress and the Secretary of the Treasury, by which he may be enabled to prepare and defend more effectively than he can at present such measures of financial policy as the interests and the prosperity of the country would seem to dictate.

WORTHINGTON C. FORD.

A GLANCE AT AMERICAN MARITIME AFFAIRS.

A CASUAL glance at any of the official summaries of statistics of American commerce for the last few years shows us that "we the people of the United States of America" are an enormously rich people. A glance at any of the official summaries of statistics of American shipping for the last few years appears to show to the casual observer that we are so enormously rich a people and so nearly non-maritime, notwithstanding the great extent of our coast lines, that we are perfectly willing to pay less fortunate peoples \$120,000,000 a year for doing our ocean carrying, or that we are so enormously stupid that we do not know how to do it ourselves. That this last, and more uncomplimentary, view of the matter is the one taken by that maritime people who do the major part of this work for us is evident when a London circular upon steamship building in the United Kingdom during the current year can voice its opinions in such expressions as: "Looking across the Atlantic Ocean, we see the United States supinely looking on whilst the carrying trade is slipping past them," etc., etc.; and when a prominent owner of British steamships can, as he did a few weeks since, say to an American shipowner: "Your Government is the best friend we have, as it could do nothing more than it has done to throw the carrying trade into our hands. Ah, you fellows over there must be a tame lot, compared with your forefathers, or you would not stand it."

In this paper the attempt will be made to point out some of the causes for this somewhat peculiar aspect of our maritime affairs, and to make some suggestions for changing it for the better. There will be an endeavor to show what our maritime condition was and is, to assign reasons for the humiliating difference, and then theorize upon the possibilities of removing this last.

History tells us that in the early days of the Republic our maritime were as flourishing as any other of our affairs, and that in those days the legislators not only talked about the importance of having our flag upon the ocean, but really acted as if they meant what they said. This method of procedure, so different from that of our day that we of another generation can hardly comprehend it, combined with the, for us, fortuitous circumstances of the war-wasted condition of other nations, and with the legislatively encouraged energy of a naturally maritime people, always on the lookout for profitable employment,

resulted during the first two decades of this century in increasing our shipping five-fold, in giving us good ground for supposing that the carrying trade of the world was passing into our hands, and in giving us the glorious navy of 1812.

We may think that the legislators of that time were very poor statesmen, utterly ignorant of the true principles of political economy, and that the seamen showed very poor taste in flying from the fore of a frigate that made herself historic a burgee bearing the inscription, "Free Trade and Sailors' Rights," but we must acknowledge that in some unaccountable way the results of the endeavors of those legislators and those seamen were glorious.

In the third decade we reached the maritime condition that enabled us to carry 95.5 per cent. of all our own imports and exports, and to do a thriving business in transporting foreign merchandise in American bottoms. But, alas, in the third decade, too, began to be felt the effects of harmful maritime legislation, which has thriven wonderfully ever since, and then began the decline of our ability to do our own ocean carrying, which has declined wonderfully ever since. To be of anterior occurrence does not prove any event to be a cause; but, as a matter of fact, by 1830 all important maritime countries except France had been released from discriminatory duties laid by us upon their shipping, and in that year a treaty was made with Great Britain, giving her certain advantages in favor of her colonies, which were to be reciprocated by like advantages to *our colonies*, when we had none, and when it would seem that, under our present form of government, we never could have any. From about that time we began to lose our foreign carrying trade, which, with a few spasmodic stoppages, we have gone on losing more or less rapidly ever since, until now we find ourselves apparently contented with the 16.2 per cent., regardless of the fact that in 1826 92.5 per cent. of it fell to us.

It does not follow that the amount of loss of our own foreign carrying trade is an absolute criterion of the decline of our merchant marine; for we find that, although we were losing the former, the latter was in a healthy condition, increasing almost steadily up to the middle of the sixth decade.

The Mexican war gave us a bad fall off in foreign trade, we losing in a single year, 1847, the carrying of 10 per cent. of our exports and imports; but the next year 6 of the lost 10 per cent. was regained, and a few years later, the Crimean war having given us an impetus, we were in 1855 doing 75.6 per cent. of our own carrying, and

enough for other people to make up a total equal to the whole of our own, and to about 20 per cent. of that of the whole world.

There would seem to be good reason for assuming, as our nautical people do, that the flood tide of the American merchant marine had reached high-water mark at the middle of the sixth decade of this century.

At that time our ships were the best in the world, were employed in every sea, and were everywhere copied as models of excellence; the tonnage built per year had more than doubled in half a decade, and was nearly four times that of last year—1881—although our foreign commerce was hardly more than one-third as much. The fisheries and the coasting trade were flourishing, and on all sides the outlook for our merchant marine was most cheering.

During the next half dozen years we lost 10 per cent. more of our foreign trade, and then came the war of the Rebellion, and with it the overwhelming disasters to our shipping interests that in three years lost us 38 per cent. of the foreign trade, to say nothing of the losses in the whale fisheries.

After the war there was a slight revival of nautical interests, so that in 1870 we were doing a little more than half as much of our foreign trade as in 1860.

During the last decade our downward progress has been rapid enough to satisfy the most ardent desires of those foreigners to whom we are turning over the management of our maritime affairs, and at the end of it, as in the case of the preceding one, we find we are doing one-half as much of our foreign carrying trade as at the beginning. We also find that we now carry in American bottoms less than one-sixth part of American exports and imports, and less than one-sixteenth of the commerce of the world. Nor is this the whole of the humiliating truth. During the last two decades our whale fisheries have lost five-sixths of their tonnage, the Banks' fisheries 40 per cent. of theirs, and even in the coasting trade there has been no increase, notwithstanding the enormous increase of everything non-maritime. To-day we have only 40 per cent. of the proportion of the world's carrying that was ours thirty years ago.

If the present rate of nautical regress continues, there would seem to be good ground for the belief of that pessimistic American sailor who expressed himself as expecting to live to see the day when, through the action of a few more laws and treaties consistent with those now in use, our seaports shall be—as our commerce has been—turned over to

foreigners, and the penalty of death imposed on any American citizen found nearer salt water than a marine league from high water mark.

The causes of this unparalleled decline of our merchant marine, some of which have unavoidably lightly been touched upon in the foregoing brief statement of our past and present maritime condition, may be divided into two general classes—legislative and non-legislative—the first to include both national and local legislation that has had a marked effect, the last to include all other causes. The endeavor will be to treat them in order of occurrence as nearly as the necessary connection of events will allow.

But first, since it nearly affects the merchant marine, it may be well to define our national attitude as one of entire indifference to the world-bettering task of peopling the earth outside our own borders, making known to each other the differing peoples, making possible the enjoyment of the products of all climes, and so helping on a final guarantee of universal peace among mankind. Perhaps in the distant future, when throughout the length and breadth of the land we shall have a teeming population for whose industrial products we shall desire a free market in the protectionist Republic of Australia, wrapped up in a timorous trading isolation, and warning off all bringers of goods to her half-closed ports, then may come a change in our views; but at present we propose to protect our infant industries and foster their growth for the benefit of our people, and in order that we may be independent of other nations, especially in case of our becoming involved in a foreign war. If in attempting this we actually foster some unimportant industries at great expense to the people, and not only fail to encourage the one without which national independence in peace or war is impossible, but so hamper it that it cannot exist, the error is one of judgment, not of intention; and, furthermore, if this policy puts us in the position of being a hindrance to the world's progress, so may it be. We care for the world outside our own borders only as it may be useful to us as a market for our surplus productions, and, secondarily, as a base of supplies from which to draw those commodities we want and cannot provide ourselves with at home.

It is true that some of the effete countries of Europe are useful to the more wealthy of our citizens as pleasure grounds, and that some of the struggling young republics of South America are useful to the more enterprising of our citizens as locations in which to work up extensive claims against the Government; but these uses are for the few, and are not to be here considered.

We are perfectly willing to send our surplus food products to the starving millions of the old world, but no further than we are compelled do we propose to receive in return their industrial products, and thus cheapen the labor of our own artisans and lessen the profits of our protected monopolies. The pauper millions may come to us—we lay no duties on cargoes of men, as we do on cargoes of everything else—if they are capable of earning their livelihoods under the advantageous circumstances we offer them; if not, they may stay at home and starve, if they will starve quietly, as do the natives of India and China; if they will not be quiet about it, and will insist upon appealing to us for aid, as do the natives of Ireland, from our abundance we will give to them generously.

From a world-embracing philanthropic point of view, this attitude is perhaps not the noblest one imaginable, but with that the policy which a majority of us appear to think the best for our own interests has nothing to do.

In seeking for the laws that are supposed to regulate our merchant marine, one naturally turns to that curious book, the Revised Statutes of the United States. To the non-legal mind it seems to be a collection of three kinds of laws: those that may be totally disregarded, as, for example, 'Section 1,628, which among other things requires every male citizen between the ages of 18 and 45 years to be constantly provided with two spare flints, and Section 4,608, which forbids the wearing of sheath-knives by seamen on shipboard; those that may be evaded by arbitrary order of a political or monied power, as in the case of certain well-known statutes, supposed to be for the governing of promotion in the navy previous to 1872, which were habitually evaded by order of the Navy Department; those that may be carried out when there happens to be a political or monied power to whose interest it is that they shall be executed. To this last class would seem to belong those statutes which we are accustomed to speak of as our navigation laws.

In 1790 our merchant marine was protected by a discriminatory duty of 10 per cent. *ad valorem* imposed on all merchandise imported in foreign bottoms; but a loophole was left for the escape from this by foreign ships in the clause that allowed them, under certain treaty conditions, to have the same rights as American vessels. The law was the same in purport, and nearly the same in language, as it stands to-day, Section 2,502, Revised Statutes of the United States:

A discriminatory duty of 10 per centum *ad valorem*, in addition to the duties imposed by law, shall be levied, collected and paid on all goods, wares and merchandise which shall be imported in vessels not of the United States. But this discriminatory duty shall not apply to goods, wares and merchandise which shall be imported in vessels not of the United States entitled by treaty or by acts of Congress to be entered in the ports of the United States *on payment of the same duties as shall then be paid on goods, wares and merchandise imported in vessels of the United States.*

In 1792 the right of register was given to vessels of the United States, and at the same time vessels of the United States were defined. These two sections stand to-day upon the national statute book, and are as follows :

SEC. 4,131. Vessels registered pursuant to law, and no others, except such as shall be duly qualified according to law for carrying on the coasting trade or fisheries, or one of them, shall be deemed vessels of the United States, and entitled to the benefits and privileges appertaining to such vessels; but they shall not enjoy the same longer than they shall continue to be wholly owned by citizens and to be commanded by a citizen of the United States. And officers of vessels of the United States shall in all cases be citizens of the United States.

"SEC. 4,132. Vessels built wholly within the United States, and belonging wholly to citizens thereof, and vessels which may be captured in war by citizens of the United States, and lawfully condemned as prize, or which may be adjudged to be forfeited for a breach of the laws of the United States, being wholly owned by citizens, and no others, may be registered as directed in this title.

Of these two sections, 4,131 was evidently intended for the protection of the shipowner and seamen, 4,132 for the shipbuilders and mechanics.

The truth of the last proposition is self-evident; that of the first becomes so when we consider that Section 2,502 gave a considerable protection to vessels of the United States, a protection supplemented by laws on tonnage dues. These dues were at first six cents per ton for vessels of the United States, thirty cents per ton for foreign vessels built in the United States, and fifty cents per ton for other foreign vessels; but, like the discriminatory *ad valorem* duties, they could be released by treaty. It was before foreign vessels had been released from the imposts laid on them to favor the American marine while this protective legislation was in force, that our shipping increased so rapidly. The wars of the time among European nations were, it is true, stimulative to American commerce; but they cannot be considered an unmixed good when we remember the British orders in council, the Berlin and Milan decrees, the embargo, and that more than nine hundred American merchantmen were seized and confiscated by British cruisers between 1803 and 1811. In spite of these obstacles, and in spite of the war of 1812, during which relief to our commerce was attempted

by raising the discriminatory *ad valorem* duties on merchandise in foreign bottoms to 15 ½ per cent., our merchant marine increased at such a rate that it quintupled itself in twenty years.

In 1815 was begun the withdrawal of protection to our merchant marine; in that year Great Britain proper—*i. e.*, the United Kingdom—was released from discriminatory *ad valorem* duties, and the release of other important countries followed: Spanish North American Colonies, 1819; Russia, Netherlands, Sardinia, and Republic of Columbia, 1824; Denmark, 1826; Bremen, Hamburg, etc., Sweden and Norway, and dominions of the Pope, 1827; Brazil and Prussia, 1828; Austria, 1829; and in 1830 we made the famous treaty, before alluded to, by which we gave up these duties on merchandise in British Colonial bottoms in return for like favors for our own colonial shipping—save the mark!

In the same year a Treasury schedule cited thirty-two such releases with as many nations and colonies, and, although out of chronological order, it may be well to state here, in connection with this cause of the decline of our merchant marine, that Spain was released from these duties in 1871, and France in 1873. They can now be collected only on merchandise in vessels of Cuba and Porto Rico.

Of course, new treaties have been made with the countries named as they have changed their geographical or political relations, and with other countries since 1830, but in every case has the stipulation been made in regard to our giving up discriminatory *ad valorem* duties; and at the same time, or by separate treaties, that we forego discriminatory tonnage dues.

Although it had become an unprotected industry in a protectionist country, our ocean carrying trade had received such an impetus that from 1830 to 1855 the average annual loss of our own carrying to the trade was less than six-tenths of one per cent. We were losing ground, but losing slowly.

During that quarter of a century we could cheaply produce the materials for building ships, we possessed the skilled labor to build them, the capital to invest in them, the energy to make them profitable, and the seamen to sail them; and so, as long as steam was kept out of the way, our merchant marine made a brave fight for its life, with the well-protected infant industries ashore.

That was the time of the fast American tea clippers and the famous Western ocean packets.

Unfortunately for our shipping interests, steam requires iron for

boilers and engines—unfortunately because we have practically decided that our iron shall be too precious a metal to be used for maritime purposes in competition with cheap foreign iron. Still, as long as wooden hulls would answer the purpose, against heavy odds we made a struggle to uphold our merchant marine, and really owned some important lines of steamers; but the struggle was necessarily a vain one.

In 1855 about 20 per cent. of the world's ocean carrying was done in steamers, and in that year we put afloat 507 square-rigged sailing crafts and 243 steamers; in 1860 the steam carrying trade of the world had reached about 30 per cent. of the total, and in that year were launched 146 square-rigged sailing crafts and 264 steamers.

When it was considered that the major portion of the square-rigged tonnage built was for foreign carrying, and that by far the greater part of the steamer tonnage was for the coastwise trade, these figures show that even before the war of the Rebellion we were heavily handicapped in the race for a steam marine.

The war of the Rebellion was directly disastrous to our shipping interests by making it dangerous for merchandise to be afloat in American bottoms, and so compelling it to seek foreign carriage, and by proving that we could not protect our ships on the high seas, thus causing them to take cover under foreign colors; indirectly by depressing business generally, by imposing high taxes on capital invested in ships, and by diverting the services of some of the best merchant officers and seamen to the navy.

The following abstract from official statistical reports shows the loss of tonnage during the war of the Rebellion:

TONNAGE OF VESSELS OF THE UNITED STATES EMPLOYED IN

<i>Year.</i>	<i>Foreign trade.</i>	<i>Coasting trade.</i>	<i>Whale fisheries.</i>	<i>Cod fisheries.</i>
1861.....	2,496,894	2,704,544	145,734	137,846
1865.....	1,009,151	2,865,323	89,136	28,502
Loss.....	1,487,743	339,211	36,598	109,344

It was to have been expected that this loss would be regained after the war causes had ceased to exist; and, as a matter of fact, there was a slight regaining in the matter of tonnage—not in any way proportionate to the increase in commerce, but still a regaining.

The protected coasting trade could not avoid increasing more than any of the other shipping interests. By 1874 this trade had 3,293,439 tons employed, since which time it has fallen off till in 1880 we find it with a tonnage something smaller than that it possessed in 1860.

The foreign trade and the fisheries in 1880 employed respectively about one-half and one-third of the number of tons they did in 1860.

Directly after the war a most patriotic statute—Section 4,135, Revised Statutes of the United States—was added to our navigation laws, by which those ships which for self-preservation had been forced to seek under foreign colors the protection that our Government could not provide were debarred the privilege of again becoming vessels of the United States. This measure was very patriotic in itself; and, more than that, it indicated the possession of great patriotism by the owners of those ships, since patriotism alone could have been the inducement for owners to sail those ships under the United States flag again, when the doing so would have made their expenses in the matters of taxation and wages of crew very much greater, and would have deprived them of a better protection on the high seas and in port than our Government has ever given. But the comparatively small amount of tonnage of which we were deprived by this patriotic post-bellum legislation should have been made up an hundred fold by the natural increase in our shipping corresponding to the growth of our commerce had there not been a combination of causes to prevent. When the war was over the country found itself embarrassed by high taxes, with labor at superprotection prices, and in need of all the capital that could be had for internal improvements and developments. Under such circumstances our high-taxed capital naturally sought investments where it could be protected from low-taxed foreign capital—in mines, manufactures, railroads, real estate, anything and everything rather than in unprotected ships for the foreign trade that, from the very nature of their work, must have competed with cheap foreign ships.

The coasting trade was and is protected sufficiently to suit the most ardent protectionist by Sections 4,220 and 4,337, the first of which gives coasters freedom from tonnage dues, while the latter forbids the competition of foreigners in the trade, under penalty of confiscation of cargoes. In this latter respect we could not well give more protection.

On the other hand, the coasting trade is hampered by high taxes and expense in the matter of iron ships employed in it; but, since there is no competition with foreigners, it can very well carry those burdens and regulate itself upon the general principles of supply and demand. As a matter of fact, it has so regulated itself, and in 1880 employed only a few less than in 1860.

In view of the great increase of production in the country during

the last twenty years, this showing is not altogether satisfactory; but we must console ourselves with the idea that the lack of increase in the trade is due to the effect of our general policy of discouraging all things maritime, and that, any way, we are not paying foreigners to do it for us.

The chief causes of the decline in the whale fisheries are evidently decline in the demand for oil and increase in the difficulties of obtaining it. As whalers pay no tonnage dues, those of New Bedford are on a par with those of Dundee, save in the matter of local taxation; this difference, to be sure, may and does make the Dundee ship pay a small profit, when, under like circumstances of take, the New Bedfordder is not earning her living; but it is perhaps no more than fair that the whale fishery should pay its portion toward the support of our policy of high prices; and, any way, the whale fishery is no longer a very important industry, and so there is no reason why we should not, if we choose, crush it out by the method of local taxation.

The decline in tonnage employed in the banks fisheries does not show exactly the decline in the industry, for a smaller number of the later smacks can, through improved methods, accomplish an equal amount of work.

The lessening of the supply of fish, of course, has a marked effect. But, in the light thrown on the subject by the late Fisheries Award, it would seem that as a nation we are willing that they should have a fair chance for existence, which is all that can be expected for any maritime industry.

The causes of the post-bellum decline of our foreign carrying trade are more legislative in character and more lamentable in effect.

In the decade 1860-1870 two important maritime facts became apparent—that the material for ship construction was to come largely from iron mines, and that steam was to be the propelling power, this last showing itself plainly in the increase of the proportion of the world's ocean-borne merchandise carried in steamers—an increase of from 29 per cent. in the decade 1850-1860 to 43 per cent. in the decade 1860-1870.

We met the issue by holding fast to our law of register, by raising still higher the already high price of iron, by heavily taxing capital invested in shipping, and by hampering our merchant marine with exorbitant consular fees, and oppressive laws in regard to the discharge of seamen.

It would seem that a better scheme for the suppression of our mer-

chant marine could hardly have been devised ; certainly its effectiveness as such has been abundantly proved by the record of the last decade through which it has operated. Meantime Great Britain has seized her opportunity by building a numerous fleet of iron ships, and by kindly taking into her hands our foreign carrying trade which we will not allow our own people to do.

To illustrate the discrimination against American steamship lines, let us suppose that an American and an English corporation run lines of iron steamers from New York to Liverpool in the American carrying trade. Suppose each line possesses the same number of ships—say four—of exactly equal capacity in all respects, and that the earnings of each line are exactly the same ; suppose that the English corporation invested \$2,000,000 in ships—the American corporation would then have to invest from 25 to 50 per cent. more ; suppose this excess to be 40 per cent. ; that in both cases the gross annual earnings are \$200,000, and that the interest allowed on capital is 4 per cent. per annum.

Throwing out of consideration the disadvantages the American line would labor under in larger consular fees and higher wage of crew, the figures would compare as follows :

ENGLISH LINE.

Capital invested.....	\$2,000,000
Gross earnings.....	200,000
Interest on capital.....	80,000
Net earnings.....	120,000
Tax, 1 per cent. of net earnings.....	1,200
English profits.....	118,800

AMERICAN LINE.

Capital invested.....	\$2,800,000
Gross earnings.....	200,000
Interest on capital.....	112,000
Net earnings.....	88,000
Tax in New York, 2½ per cent. of investment.....	70,000
American profits.....	18,000
Discrimination against American line.....	100,800

If the gross earnings of these lines were for each \$80,000, the net earnings of the British line would be zero, the tax zero, and the loss zero ; the net earnings of the American line would be minus \$32,000, the tax \$70,000, and the loss \$102,000 ; if in this last case we make the wildly improbable hypothesis that the two corporations could buy their ships at the same price, the loss of the American line would then be reduced to \$50,000.

Truly do we value the flag of our country, practically value it when we would charge an American four-ship cheap steamer line \$100,000

a year for the privilege of flying it. But, unfortunately for us, there are almost no takers at that price, evidently owing to the lack of patriotism among those of our citizens whose duty it is to become ship-owners.

The writer would say that he has been entirely unable to obtain satisfactory data upon which to base an estimate of the excess in price of American over English iron ships.

From the statements of several American shipowners this excess would seem to vary from 25 to 50 per cent., with an indeterminate coefficient of sharpness on the part of the individual buyer.

On the other hand, an editorial in a newspaper supposed to be published in the interests of American iron shipbuilders authoritatively states that ships equal in every respect can be built just as cheaply on the Delaware as on the Clyde; doubtless the Delaware firms can sell ships at prices as low as any in the world, but doubtless they never will as long as they are part and parcel of that 'power greater than Congress, the combined iron interests of the country.

The discrimination against American ships by local taxation applies to the sailing carrying trade as well as in the hypothetical cases of lines of iron steamers; and it is mainly by the aid of this discrimination that the Norwegians, Italians and other peoples are enabled to take the sailing carrying trade from us. We have the appliances, and can ourselves cheaply provide most of the material for building wooden sailing craft, while those needed from abroad were in 1872 put on the free list. Consistent with this legislation to encourage wooden shipbuilding—Secs. 2,513 and 2,514, R. S. of U. S.—in the last decade, a decade during which 61 per cent. of the world's ocean carrying was done in steamers, and during which statistics showed that, tonnage being equal, steamers have five times the carrying power and seven times less risk than sailing craft—there should have been passed laws discriminating against railroads and favoring stage coaches. Had there been such legislation, we might now have some fine stage coaches in the domestic, just as we do have some fine sailing craft in the foreign, carrying trade.

But this legislation favoring wooden sailing ships is not altogether absurd; it has a pathetic side in showing that our legislators would give us a little commerce if they they were allowed to do so by the iron and other powerful interests.

The causes of the decline of our merchant marine may then be generalized as lack of legislative protection in a protectionist country, and lack of armed protection during the war of the Rebellion. The

preventives to its revival may be detailed as: excessive local taxation; excessive prices of iron ships; exorbitant consular fees; oppressive measures in regard to advance pay for discharged seamen; high wages of crew; large running expenses, owing to general high prices. Means to be taken for the revival of our merchant marine.

The deductions drawn from the official figures quoted in the foregoing pages may be entirely erroneous; but the figures themselves, if they show anything, show, what is apparent to the most casual observer of shipping in any of our larger seaports, that to revive our merchant marine we must regain our foreign carrying trade; and that, to do this last, we must own and employ in the trade iron and steel ships.

At first glance the problem of how to accomplish this regaining of our ocean carrying seems very easy of solution; since foreigners can do it for \$120,000,000 per year, and since our general protection policy prevents our own people from doing it so cheaply by—suppose—\$30,000,000, the direct and simple solution of the problem would be to pay our own maritime people \$150,000,000 per year for doing the work; \$120,000,000 in freights and passage money, as now, and \$30,000,000 in lump subsidies from the national Treasury. But this two-and-two-make-four method of reckoning is entirely impracticable of application to the case in point; for we prefer that, for ourselves, two and two should make six or seven; and this they can be readily made to do by adding the necessary increase indirectly, a process of procedure that, according to our theory, makes the increase equivalent to nothing at all. We will never pay large lump sums out of the Treasury unless we are compelled to do so. It seems extravagant; and no congressman who has a natural longing for reelection would dare to face his constituents in a mining, manufacturing or an agricultural district after advocating the revival of our merchant marine by the method of direct purchase.

The greatest burden upon American shipping might be lifted by abolishing local taxation. But it is doubtful whether there be sufficient national power to do this; for, although some of us are fond of declaring that the United States is a Nation with a big N, others of us are equally positive, especially in regard to the Constitution-guaranteed rights of local government, and more especially still in regard to the collection of politically convenient local revenues—though not in regard to the entire independence of States (pushing that theory has not been interesting since 1865)—that the United States are a union

of States with big SS's, and the attempt to deprive the seaboard States of their revenues derived from taxes on shipping might turn the scale and make the others outnumber the some. Still, it would not seem entirely impossible to persuade these States to grant this favor to the nation as regards taxes on ships in the foreign trade, because the local revenues from that source are now very small, and at the present rate of decrease they will soon be nothing at all. Or tonnage dues might be raised—we can make them as high as we like, providing they are not discriminatory—and the difference of revenue between what it is and what it would be with higher tonnage dues used to buy off the States from exercising their rights of local taxation.¹

With this burden removed, our merchant marine would still be over-weighted by expensive ships, exorbitant consular fees, oppressive measures in the matter of discharge of seamen, high wage of crew, and high running expenses.

In view of the facts that in political parlance the consulship of a certain European port "is considered to be worth" twice the salary of the Chief Executive of the nation, and that we have all, in the most startling manner, been lately made aware of the intense longing with which a now celebrated politician desired the consulship of a certain other European port, it would seem a delicate matter to attempt to change the schedule of consular fees. Again, these are to a very great degree the perquisites of politicians for whom offices cannot be found within the country, and admirably fulfill their reason of being by providing emoluments indirectly, the exact amount of which cannot be known to the people at large. But a management of the scale of fees might be made so as to relieve our ships by making the fees exactly equal to those paid by competing foreign vessels, and then allowing the consuls to charge the nation with the difference between what the fees now are and what they would be under such an arrangement. In this way the politicians would lose nothing, and therefore might be willing to allow the change, while the people at large would be kept just as ignorant as they now are of the actual amount they pay. As regards the two least important preventives to the revival of our merchant marine—the inability of a ship to discharge her crew in a foreign port, and the high wage of crew—these can be easily remedied; and, indeed, at the present writing there is a bill in Congress looking to the rectification of the first. The high wage can

¹ Since this paper was prepared New York, following in the wake of Pennsylvania, has abolished local taxation on shipping.

be avoided by simply employing cheap foreign labor before the mast, while, as to officers, there are plenty of capable Americans who will gladly sail ships for the same pay that foreigners give—plenty of them, and seamen they are, every inch. It is true that the death rate of vessels of the United States is greater than that of those of any other maritime nation; but this is owing to their having to take greater risks in order to earn a living, not to lubberliness of our merchant officers.

In rectifying these matters of discharge and wage of seamen, "poor Jack" goes to the wall; but there is really no more reason why his welfare should be considered than that of the Fall River operative employed in a fully protected shore industry.

As the high rates of running expenses of American vessels are due to the high prices of commodities, resulting from our well-established protective policy, our ships can only be relieved of them by receiving from the Government an equivalent to the difference between the prices and real values of the commodities used.

To the writer it would seem possible to persuade the States interested to abolish local taxation on the foreign carrying trade by demonstrating that the loss to their revenues would be small at present, and in the near future, under present conditions, nothing at all; while there would be some glory, if no dollars, in having ships in the foreign trade flying the American flag, with at least a fair chance that all losses to revenue from abolishing local taxation would be made good by the increase of commerce in their ports that would come with a flourishing American marine. If these arguments failed, the States might be bought off with money obtained, as suggested, from increased tonnage dues on vessels of all nationalities.

The greatest impediment being removed by the local authorities, the general Government might be persuaded, on its part, to establish mile-ton bounties for all American vessels in the foreign trade, at such a scale as to make good the difference between real values of ships and stores and the prices paid to American shipbuilders and shipchandlers. These mile-ton bounties seem practicable because the total amount of money so expended would be small, as compared with lump subsidies; because great corporations could not easily absorb it without giving something in return to the marine, and because it would be widely distributed, scattered about in comparatively small sums, so that the people at large would not readily understand how much they were paying for the protection of steamship builders. The bounties

for sailing craft would be absolutely small—just enough to make the difference between profit and loss in sailing them.

With local taxation abolished, mile-ton bounties established, consular fees paid by American ships made equal to those paid by competing foreign vessels, and discharge and wage of crew rectified in the manner suggested, American ships would have a chance for existence better by 1 per cent. of net earnings than those of Great Britain, and worse by the indefinite amount represented by the commercial prestige that that nation has built up on the ruins of our carrying trade—a prestige supported by a numerous fleet of fine ships in the well-settled trade of carrying our imports and exports.

Under such conditions our merchant marine would probably begin to slowly revive. The great obstacle would be the competition of the ships now doing the work which of right belongs to our own marine, and which they would attempt to continue to do at ruinously low rates of freight and passage, rather than rust out in British ports.

If these ships could be absorbed by purchase, the revival of the American marine might be very rapid, and it would not seem altogether impossible to persuade the iron shipbuilding and connected interests to allow this purchase, since it would be a generous act to the country on their part, and would bring to themselves much more money than they would have if they refused the favor; for it is plain that in twenty years more ships would be required to supply a well-established flourishing marine, free from excessive competition, than would be required to furnish the initial and supply vessels for a slow-growing trade engaged in a duel to the death with a powerful adversary.

If it were considered of any moment to have American seamen in American vessels, a shipping bounty might be paid to every American citizen serving in the foreign trade, the amount of the bounty to be equal to the difference of wage paid foreign seamen and to seamen in our coasting trade for the time served. A prominent Senator of the dominant party, in senatorial debate the other day, enunciated the dogma, which we seem to receive as an article of national faith, that "the American rate of wages must be maintained." To do that for the American sailor in the foreign trade, either a shipping bounty must be paid to him direct, or the mile-ton ship bounty must be made large enough for the owner to do it.

The direct bounty to the men would seem the most likely to succeed as a national legislative measure, because it would give our silver-tongued orators an opportunity to affect to really care for the interests of poor

voteless Jack, an opportunity they might be willing to pay for by passing the measure. There need be no money voted for these bounties. Congressmen need run no risk of offending their constituents in this respect, since it might well be hypothecated from the naval appropriations.

This might necessitate the abolition of the navy as such; but, since the cruising navy is only an adjunct of the foreign carrying trade, it should be required to make all sacrifices for this latter, even to the giving up of its useless life.

The present cruising navy is utterly useless, unable to sail, or steam, or fight, or run away; and a late thorough investigation has shown that in eight years it would take \$31,000,000 to put it on a fairly effective footing—a sum equal to that we pay indirectly for the protection of a branch of the iron interest in one year, and consequently altogether too much to draw from the Treasury for eight years' work on the navy. The present protection to our citizens abroad and to our small merchant marine is accomplished by the majesty of the name of the nation, by the kind offices of foreign men-of-war, and by our own national vessels; these last are absurdities, and may as well be abolished.

The economy of relying entirely on the majesty of the name of the nation is patent; and then it would present magnificent facilities for aiding the oratorical swoop of the American eagle, which in our public speaking is the necessary preliminary to getting down to the details of overhauling the family history of the opposing candidate, or of whatever may be the real question at issue.

Of course, it would really neither protect our citizens abroad in their just rights nor direct them to respect the rights of others, especially among those many people who have never heard of the United States of America, any more than it would aid our diplomats in questions arising from isthmian canals and South American complications; but neither does our present plan. It could make us no more ridiculous in the eyes of foreign nations than we now are, and it would be much cheaper.

We could then quite unreservedly avail ourselves of the services of foreign ships when our citizens really needed help, as we have lately been forced to do, through lack of national vessels for the work, in saving from massacre our own citizens in one of our own territories, in going to the aid of our own shipwrecked sailors off our own coast, and in many other cases.

Nor need there be any national humiliation in adopting such a course, for we could do then as we do now—simply decline to feel any.

No act of abolition of the navy is necessary, for, by diverting the funds that support it to other and more practically useful channels, we can allow it to slowly sink from inanition till a real merchant marine shall demand a real armed protection.

Since Great Britain has taken our carrying trade, it is perhaps only fair that she should do our naval work, and if, at the same time we take from her the trade and the dollars, we can give her the naval work and the expense, it will be a shrewd and profitable arrangement, for we can fully pay her for services of men-of-war that would cost ourselves hundreds of dollars, in more inexpensive letters of thanks from the State Department.

The question of wage of crew being thus settled, there remain but two causes to prevent Americans from going to sea—hard work and danger. The first needs no attention because it is axiomatic that Americans will work hard for money, and, as regards the second, it need only be said that the death rate from dangers of the deep last year was $1\frac{3}{4}$ per 1,000, while the excess of the death rate of New York over Brooklyn was $3\frac{3}{4}$ per 1,000; therefore, an inhabitant of Brooklyn who takes to the sea for a profession thereby increases his chances of death by being drowned or blown up only one-half as much as he does his chance of death from other causes by remaining ashore and moving across the East River.

The general plan proposed in this paper for the revival of our merchant marine is, then, to encourage Americans to own ships, to encourage Americans to go to sea, to provide a market for American built ships, and to discourage foreigners from doing our ocean carrying. In detail it is:

I. For all States interested to abolish local taxation on shipping in the foreign carrying trade.

II. For Congress to establish mile-ton bounties for all American built vessels in the foreign carrying trade, on a scale that shall compensate for the difference in the prices of such ships, with their stores, and their real values in open market; to regulate discharge and shipping of seamen on a basis similar to that used by the nations who now do our ocean carrying; to establish shipping bounties for all American seamen serving in the foreign trade, on such a scale as to compensate for the difference of wages paid to foreign seamen and to

seamen in our own coasting trade; to make consular fees equal to those paid by competing ships of other nations.

These two last desiderata to be accomplished in the ways suggested, or tacitly by making the mile-ton bounties sufficiently large, according to the opposition that the one or the other method shall develop.

III. For our combined protected infant industries, to allow Congress to change our law of registry as regards foreign ships already built or being built at the date of the amendment of the statute. If this cannot be allowed, then to grant to Americans the privilege of purchasing ships which at the date of the amendment of the statute shall be actually employed in transporting American exports and imports.

Although the merchant marine has nothing to hope for from either one of the great political parties of the country, it having suffered severely under the dominance of each, the vague inchoate party ideas that stand for principles in regard to maritime affairs have been considered in the suggested means to be taken for the revival of those affairs; for, though one party would favor lump subsidies and oppose free ships, it might be willing to allow a limited number of free ships for the sake of the limited subsidies in mile-ton bounties, just as the other, which would oppose subsidies of any kind and favor unlimited free ships, might be willing to allow the mile-ton bounties for the sake of a limited number of free ships.

The danger of over-production of the world's ocean transportation has not been touched upon because, in order to exist, our merchant marine must have protection, like everything else American, and thus be sheltered from the effect of the world's advance in this direction. Nor does it seem possible that danger from this source can be imminent to us so long as it is possible for men to starve in Asia while men in America are burning corn for fuel, for most hungry men will give their labor for the transportation of food to them before they will starve, and their labor is worth money.

And this is the one great argument relied upon to support the proposed plan for the flying of our country's flag upon the ocean, the argument that most nearly appeals to the American heart—money. Money for the nation in saving to the people, at the small expense of mile-ton bounties, the enormous outlay for foreign transportation of our exports and imports; money for the ship-owning States in the increase of commerce in their ports; money for the capitalists in safe and profitable investments in well-protected American ships; money for the shipbuilder in the market for his high-priced productions;

money for the seamen in the shipping bounties, and, at least, no loss of money to the politician-consuls and ship chandlers.

To us of the navy who with very rare exception have for the best of all possible reasons not the slightest personal interest in investments of capital of any kind, the romantic, rather than the practical, side of this question presents itself.

Perhaps a seafaring life engenders a sickly sentiment; but, whatever the cause, all of us when entering the great seaports of the world have felt with greater or less intenseness a longing that habit does not help us to bear, a heart-sick, home-sick longing for the sight of a bit of striped bunting flying somewhere, without having to look for it at the peak of the peculiar floating construction in which we were serving.

We love to "see visions and dream dreams," dreams of the time when our country shall conclude that laws for the suppression of commerce are unwise, and shall cease to pay more than her due proportion of the 4 per cent. toll levied by Great Britain on the commerce of the world; when American exports are carried in American bottoms, and when our maritime affairs shall assume a proportion commensurate with the greatness of the nation.

Those of us who are young and optimistic hope to live to see the day when an observer on the Battery, at New York, can note that some of the passing ocean steamers fly the American flag; and deep down in our hearts there is a dearer, though a fainter, hope, a hope that, not in our generation, but some time in the dim far-off future, there may come such an American maritime millenium that it may be possible to see a flagship of a United States squadron that bears a resemblance—slight it may be, but still a traceable resemblance—to a real man-of-war.

WM. W. KIMBALL.

THE RELATION OF THE FAMILY TO THE STATE.

THERE are three natural societies of human beings—the Family, the State, the Church. They are natural societies, as being the outgrowths of man's nature, the results of natural affinities, not the products of man's contrivance. Man did not, after arriving at the maturity of his powers, invent the Family, or the State, or the Church;

he was born into a condition of being which involves them and makes them necessary to his perfection. His membership in each society is so far voluntary that he can realize the relationship to its full extent only by entering into it of free choice ; it is not voluntary in the sense that he is at liberty to remain outside of it, or can do so with impunity. In holding himself aloof, so far as is possible, from participation in these primal relationships, he not only foregoes some of the possibilities of his nature and the means of his development, but he suffers a positive diminution of the powers which belong to him as a man, and he moreover withholds from the general sum of human well-being that quantum of benefit which should have come to it through him. A man may, for reasons sufficient to himself, decline to associate himself with others in a literary, or political, or æsthetic club, and by so doing would lose only what he might have gained by joining it. But the man without a home, and without a country, and without a church, is a mutilated, fragmentary human being—he is quite likely to be a vicious and dangerous one.

Man did not, we say, invent these three primal relationships. They are, nevertheless, inventions, showing marks of design, having each its own definite purpose, and containing within itself all the means necessary for attaining that purpose. Not more evident are the indications of a designing wisdom and benevolence in nature than are the manifestations of a divine plan running through these natural human relations, and working through them all for the highest well-being of men. The Family, starting from the physical relation of the opposite sexes, finds its full conception in a society of two parents and their offspring so united by free choice and community of blood as to have formed between them a natural bond of affection and mutual interest which prompts each member to seek the well-being of all the rest. How admirable is the agreement between instinct and prudence, how exquisite the blending of affection with duty, secured in the very constitution of the Family! Through its agency all the forces of human nature seem to be pledged to work together in the interests of virtue and well-being. The State is the union of a multitude of families of common race and character for the purpose of promoting those interests, called civil or political, which large masses of men have in common. That the State is, properly considered, a union of families, rather than of individuals, will appear more plainly hereafter. The Church is the society which results from the common spiritual nature of men. Feeling themselves to be appointed to a

common destiny, charged with common trusts of truth and duty, and inspired by common hopes, men are thereby impelled to seek unity of conviction and concert of action. Religion being something more than a matter between the individual and God, being also a source of new and important relations between the individual and his fellow men—the Christian religion conspicuously so—necessitates a religious society, or the Church, which thus takes its place beside the other two, the Family and the State, as one of the three natural and consistent societies of men upon earth.

The ultimate aim of all these three societies, we have next to notice, is one and the same, though sought by different means. It is the development and perfection of the individual. The object for which the Family exists is not the perfection of family life, nor the good of the commonwealth, nor the progress of the church—all these mediately, none of them ultimately—but rather the development and perfection of each individual. The State and the Church exist for the same end. The chief end of all things human and earthly is the same. It is, so far as concerns mankind, to “present every man PERFECT.”

But in this service and consecration, we notice again, all these relationships are mutually dependent and helpful. The Family is dependent for its highest welfare and largest capabilities on influences which come to it from the Church on the one hand, and from the State on the other, and these in their turn receive from the Family helps and powers which can be derived from no other source. The State is dependent on the Church and the Church on the State where no formal union exists, inasmuch as neither can attain its highest efficiency without the aid of the other. And so of all these three societies it may be said that they are so implicated one with another that the perfection of any one requires the perfection of all; that the degradation of one tends to drag the others down with it.

We consider at this time only the relations of the Family and the State to each other.

Although logically the State and the Family are necessarily consistent, inasmuch as each implies the other, yet chronologically the Family precedes the State. In primitive life the Family contains for a time the State within itself. The Patriarchal Family is at once Family and State; the Family, however, in vigorous existence, but the State only in germ. This Patriarchal Family, being more than Family, exercising some of the prerogatives of the State, is not, therefore, as some would represent it, the ideal Family. The head of it is

not merely Father, but Magistrate and Priest. The functions of society are not yet divided—the boundaries of Family, State and Church are not yet marked out. The State and the Family begin to separate when the different families begin to find that they have other interests besides domestic ones; that they have common interests, a common life as a larger community, including all those within some natural boundary, or those speaking the same language. Associated in this larger community they find that they have a greater power for defense or conquest, greater resources for public works, greater dignity in the presence of other communities. The idea of the Nation, the State, now grows apace, and political institutions become established. This natural genesis of the State out of the Family is illustrated, step by step, in the Old Testament history of a particular family growing into a nation. With the development of the State we find a resumption by it of the powers which, properly belonging to it, had been temporarily exercised by the Family, as, for example, the power of life and death in the Patriarchal Family, and a large part of what was involved in the *patria potestas* of the Roman family.

I. Now as the State, genetically, arises out of the Family, comes to the consciousness of itself and the realization of its own proper function under the tutelage of the Family, so in all the stages of human progress *the State is dependent on the Family for the rudimentary and preparatory training of its citizens in the duties of citizenship.*

In order to the existence, still more in order to the prosperity, of the commonwealth, it is necessary that the citizens have, first, certain ideas, certain conceptions of the public weal, as an end to be sought distinct from individual weal; and, secondly, certain virtues which have reference to the common weal, civic or public virtues. Now the State is dependent on the Family for training both in these ideas and in these virtues.

First let us see how the Family is a training-school in civic ideas. Suppose, for a moment, that the common assertion were true, that society is made up of individuals, each individual a unit, separate, complete in himself, bound by no natural tie to others, associated with others only as chance, or caprice, or prudence should dictate. Who does not see that this state of things affords no starting point, no nucleus for society, that it leaves room only for an association wholly artificial and conventional? How, on this theory, can the State be rescued from the logical perils of secession and repudiation? But by coming into the State through the Family every one gets a concep-

tion of a society which is not composed of separate and complete individuals, but is a whole, made up of mutually dependent parts, a society which has a natural and organic unity, the unity not of bricks in a pile, but of members of one body. The interdependence of the members of the family; the helplessness of one appealing to the strength of another; the alternation of service between the child who to-day receives help and a few years hence gives it again to those from whom he received it; the variety of sex and character, of capacity and aptitude, calling forth mutual interest and sympathy, and interchanges of ministry—all this, which comes, not of some fine artifice, but simply and naturally into the family life, serves to form the idea of a society which is not a mere aggregate of individuals, but a union of members, a whole made up by the subordination and balance and complement of all its parts.

That the true conception of civil society has its genesis in the Family and is transferred thence to the State is shown by the fact that, when this idea becomes dormant or confused in the minds of citizens, wise men always seek to reinspire it by influences fetched from its birthplace, the Family. Accordingly, when statesmen would illustrate and enforce the principles of State life, they do so by appealing to the family relations. The country is the Fatherland. The nation is mother country to its colonies and dependencies. Citizens are brethren; civil war is fraternal strife; the States of the Union are a sisterhood. The factions of party are likened to conjugal discord. Peace is the "united and married calm of States." "Dear are parents," says Cicero. "Dear are children, relatives, friends; but the Fatherland alone embraces all the endearments of all." What does all this mean except that the Family and the State having these ideas in common, the Family exemplifies them more completely and can teach them more impressively? To prepare men to conceive of the State as a larger Family, in which individuals gladly lose their individuality by blending it with that of others, in which each is impelled not by prudence merely, but also by affection, to contribute something and sacrifice something for the good of the whole—this is what the Family accomplishes as a training-school in civic ideas.

Out of this right conception of the State grow the civic virtues on which the welfare of the State depends, and for training in these virtues the State is largely dependent on the Family. Foremost among the civic virtues is obedience to law. Political society is impossible

among savages, because individual passion rides down considerations of the public weal. Private revenge will not be balked of its purpose; might will not yield to right. The conception of LAW as authoritative and supreme, stronger than the arm of the warrior, more awful than the rage of a maddened chieftain, is the result of a long course of education by the disasters and sufferings attendant upon the anarchy of individualism. Now, but for the training of the Family, every human being would grow up with the same spirit of resistant egotism. It is the instinct of the untutored human being, as it is of the savage animal. If it were not for the training of the Family, society would have to wage perpetual war with this self-asserting spirit of human nature, renewing the contest with every fresh generation, and finding its work no easier from century to century. Take the example of those who have come up without homes, or in turbulent homes, and see what all would be. But the Family, by the necessity of its constitution, is a training-school in the virtue of obedience, and a well-conducted family is the best possible training-school in that virtue. Parental authority imposes law and claims obedience at so early a stage, and with such gently progressive demands, that obedience becomes a habit, and deference to law an unconscious attitude of the mind, long before civil authority finds occasion to require obedience. Especially in the Christian family, where authority presents itself, not in the form of the stern Roman *patria potestas*, borrowed from the conception of Jupiter *omnipotens*, or furnishing that conception, but rather as the blended justice and love of an earthly—reflecting that of a heavenly—Father, law beams upon the child's mind with such benign authority that obedience is not associated with rebellious feelings and a sense of personal degradation, but with respect for superior wisdom and goodness. A child who has not learned obedience at home will never learn what true obedience is, or will learn it at a great disadvantage. We put it upon the school to enforce and teach obedience, and we give to the school the authority of a parent for this purpose. But the school has no natural authority over the child, none that appeals to his instincts and his feelings. The school may do much to make up for the deficient training of the home, but it can never wholly supply the lack of it. He who has missed the lesson which the true home gives in the authority of law may be brought to conform through fear to the law which threatens him; he may willingly obey a law which he approves, but he has missed the only school in which natural superiority, on the one side, and natural affection, on the other, make obedience itself not only easy, but honorable.

And this virtue, which in its comprehensive form is the subordination of selfish to public considerations, has not merely a passive side in obedience, but also an active side in public spirit. A good citizen is one who not merely obeys the laws of his country, but who is ready to devise, to exert himself, to sacrifice himself, if need be, for the general good. For this virtue also the Family trains the citizen. For taking in hand the little selfish egotist which every child is, and making him feel that he is a member of a body whose interests he is bound to regard as above his own, nothing can be imagined more effective than the training of the Family. In every family that deserves the name the several members are put under the necessity of learning the duty and the pleasure of individual exertion and sacrifice for the enjoyment, the benefit, the honor of the Family. To learn to take an interest in those who are bound in the bundle of life with us, to regard ourselves as honored by their honor and favored by their prosperity, to feel a stain on them as a wound to us, is to take a long step toward the attainment of that largest and most fruitful of the civic virtues, Patriotism.

That patriotism is almost wholly dependent on the Family will be conceded almost without argument. The patriotic feeling is not the offspring of great public assemblies, as it sometimes seems to be; it is born in the homes and is nursed at the firesides of the people. When the spirit of patriotism is to be roused, the appeal is to men's altars and fires. When the Roman family was degraded and the domestic virtues ceased to be in high esteem, the civic virtues also fell away, patriotism decayed, and the commonwealth depended for its safety on a mercenary soldiery. The fate of Sparta teaches the same lesson. The Family subordinated to the State, and thus, robbed of its rights and practically annihilated, resulted in the loss of those very civic virtues to which the Family had been sacrificed. This is true universally; where the home feeling is strong, there patriotism is warm and enduring; where that feeling is weak, patriotism is languid. The home feeling is the heart of the patriotic feeling. Take the history of our own country, and imagine that all the fireside patriotism were left out, and how much would there have been to rely on when red-handed treason struck at the nation's life? If there had been no tales of the Mayflower and the early colonial times, of the Indian wars and the Revolution, told to the children on their fathers' knees, no winter evening talks about the great events and the great men of the Union, no prayer at the family altar for the preservation of that Union and

the free institutions bound up with its life, there would have been no Gettysburgh, there would be to-day no United States of America.

Another of the corner virtues of the social fabric is fidelity—trustworthiness. Political society is a great system of trusts administered by individuals for the benefit of the whole. The franchise is but one of these trusts committed to a select, even though a large, number, to be exercised by them in the interest of all the people. Now the vital question of all governments, that on which more depends than on any other, is how to get the citizens qualified for these grave trusts. The intellectual qualification it tasks the resources of the State to secure. In its interest are established the comprehensive and costly systems of public education now maintained by all enlightened governments. Still more difficult is it to secure the moral qualification, the trustworthiness which the State justly demands of its citizens. Most governments have no means of their own for training the people in those moralities on which public virtue depends. It is conceivable that, in the failure of voluntary religious and moral societies to provide an adequate moral basis for virtuous citizenship in the character of the people, government would be driven to the necessity of providing such religious and moral culture. It seems to be generally conceded that, there is at present no such necessity; that the Family and the Church are adequate to supply the moral training which the State requires. But this consideration throws additional responsibility on the Church and the Family. With regard to the virtue which we are now considering, fidelity to trusts, including truthfulness, integrity, conscientious regard to the rights and claims of others, the Family affords unequalled opportunities for right training. To have responsibility put upon one gradually in proportion as he is able to bear it; to be watched carefully, but not suspiciously; to be encouraged and helped, but not enough to take away the merit of succeeding, and thus to be educated in responsibility and trained to fidelity—this is one of the great opportunities which the true family gives to its members. How could the State forego this training of its citizens? In what other way could the future trustees of power in the commonwealth be so well prepared for their trusts?

Thus far of the Family as a training-school in civic virtues for the children. But the Family is of equal value to the State in its influence on the parents. In a striking passage on the high discipline of parenthood, Herbert Spencer says: "The last stage in the mental development of each man and woman"—he might have added, in the moral

development, as well—"is to be reached only through the proper discharge of the parental relations." If responsibility is the greatest of all educating forces, certainly that force culminates in the parental relation. Accordingly, the great statesmen, both ancient and modern, have sought to encourage matrimony and the rearing of children as tending to promote thoughtfulness, stability and devotion to the public good among the citizens. A man without domestic ties will not, in the nature of the case, feel the same responsibility for his public acts as will one who in all those acts feels himself to be acting for wife and children and posterity. It is a fact as patent as any in history that celibate orders, whether of men or women, while they may have been conspicuous for other virtues, have been lacking in patriotism. Conspiracies, revolutions, reckless and dangerous schemes of all kinds, are usually hatched in the brains of young men who have discarded the responsibilities and confidences of home life, while those moderate and firm counsels, those high resolves and heroisms which carry nations to greatness, usually issue forth from family conferences, and with the family blessing on them as they go. And so the great poet, in representing Brutus, when conspiring with base men against his friend and Rome's greatest citizen, as hiding his dark intent from the noble-minded Portia, his wife, tells the truth, as he always does, of our human nature. Treason and rebellion do not hold their conferences amid the ruddy light of the home, but seek the congenial darkness and loneliness of the cellar, the cave, or the heath.

In what has been said of the dependence of the State or the Family, it has been implied that the Family is the true family, constituted according to the Divine law. In so far as the Family departs from this law, in so far as it is falsely organized or its life is corrupted, it will fail of its efficiency as a training-school for the State, and the State itself will be tainted by its corruption. Suffer the unity, the permanence, the purity of the Family, to be destroyed, allow caprice to dissolve its holy vows, let passion have its wicked will within the precincts hitherto sacred to virtue, let its benign authority be contemned, and its charities be turned into jealousy and bitterness, and it will not be long ere morality will flee weeping and dismayed from its most cherished sanctuary; and public virtue, patriotism, social order itself, vitiated in their very sources and principles, will suffer a lingering, but inevitable and fatal, decay. And let it not be thought that Mormonism, or the other organized systems of social immorality, are alone chargeable with these evil tendencies. Practices far short of

the gross and abominable crimes sanctioned by these systems, usages prevalent much nearer ourselves, and none the less dangerous because they are familiar, are serious enough to startle solicitude. The array of facts presented at the Social Science Congress, by Mr. Dike, on the subject of divorce, revealing an extreme laxity in our divorce legislation, and an easy dispensation of the sanctity of marriage on the part of our people, furnish good cause for alarm lest in the midst of our self-complacent estimate of our social morality we are in danger of losing that family virtue which has been so potent in both our private and our public life.

II. *The Family is dependent on the State for protection in those rights which are essential to its integrity and efficiency.*

The Family, as such, has a legal status. Making the distinction recognized by recent writers between legal and jural rights, meaning by the latter the rights which belong to persons in their civil relations, and growing out of those relations, whether legalized or not, we may say that the Family has a jural status which the State is bound to respect. If we inquire into the origin of the jural rights of the Family we shall find that they rest on the principle that the Family is a moral and jural person, holding a relation to other persons and to the State, capable as such of obligations, and possessed of correlative rights. The State does not by its legislation make those rights. It can only recognize and formulate them. The Family has rights which are not constituted by law. They exist prior to and independent of law. Marriage is a relation universally recognized by law, but it is not a relation constituted by law. Accordingly, the parties to a marriage are not said to form a relationship, but to enter into a relationship already existing. The same may be said of the relation of parents and children. Now it is one of the chief functions of the State to protect persons, not merely in their legal, but in all their jural, rights—that is, the State is bound to put under the protection of law all the essential rights which belong to civil persons. The State owes this protection to the Family; and in order that it may perform this duty, the State must in its deliberative capacity, as being the supreme civil wisdom, as well as the supreme will, profoundly study the nature and relations of the Family in order that it may deduce therefrom its rights and obligations. And let it be said, in passing, that no part of the great field of statesmanship needs more careful cultivating than this. There are no profounder, or more far-reaching, or more timely, questions than those relating to the Family. The political philosophy that would solve the

problems which press upon us in connection with this question must call to its aid physiology, and history, and ethics, and the whole science of man, before it can adequately estimate the full meaning of the family relation, and give to that relation the best help and protection of law. For let it be borne in mind that, while in ruder forms of government more power was left with the Family itself for its own protection, the State has now taken to itself most of the old *patria protestas* and other forms of family autonomy, and assumed the maintenance of all rights pertaining to the Family. We have, therefore, as citizens the right to hold the State to a strict account for the discharge of the obligation thus assumed. We have a right to expect that, if we turn over the statute books of our own or of any Christian commonwealth, we shall find the legislation bearing on this important subject giving evidence of the most studious care, the most thorough deliberation. We have a right to look for the best wisdom as yet attained by mankind, embodied in the most careful provisions for securing the integrity, the purity, the peace, of the family relation. We have a right to expect that every precaution shall be taken which law can devise to insure that the family shall be constituted with deliberation, with adequate maturity of judgment, with sufficient formality, to guarantee the full and free choice of the parties entering into it. We have a right to insist that the State shall regard a union so constituted as one to be protected, according to its nature and its express terms, as a life union; that it shall treat these two persons as legally one, as holding property in common, and as having common possession of their offspring; that it shall aim in all its legislation respecting these persons more and more to unite them and never to estrange them; that it shall permit the question of their separation to come up only as an exceptional and extreme measure to meet exceptional and extreme cases; that, so far from rendering such separation easy, it will hedge it about with difficulties, so as to throw a heavy burden of proof on the disturbers of such a union once solemnly accomplished. Certainly so much we have a right to expect from a statesmanship which has any regard for the laws of God and the teachings of Him upon whose moral principles all Christian civil society depends. That law should, either by perverseness or negligence, give any opportunity to cunning or any advantage to strength; that it should side with the bold man against the timid woman; that it should let the innocent victim suffer and the wrongdoer go free; that it should encourage passion by leniency, and make the greatest of crimes the least likely to be punished; that it should

hold out inducements to precipitate marriage by facility of divorce; and, worst of all, in some respects, that it should suffer itself to be shaped by and in the interest of men who derive a lucrative professional practice from loose marriage and divorce legislation—this were to make law itself an agency for undermining the foundations of human society and destroying those institutions on which the welfare of every human being depends.

But the constitution of the Family is not merely a legal one; it is also moral. Marriage is not merely a contract, because to a contract there are two parties who remain two after, as before, the contract. Marriage is a union: "They are no more twain, but one flesh." Now such a union of two individuals can be the result only of an act which is in the highest sense a moral act, and one of the highest moral acts of which a moral being is capable. Except in the full use of reason and conscience, and the full exercise of freedom, such an act cannot be performed according to its true nature. And such a union is by its very nature perpetual and inviolable. A marriage in which the right to separate should be reserved would be no marriage. The reservation would vitiate the act, because the very act implies the fusion of each separate choice in such sense as to preclude the power of reviving it. Let it be understood in any case that two parties consent to marriage, reserving the right to terminate the relation on agreement so to do, and the act would be condemned as an immoral one by the general moral sense of mankind. It is not essential, interesting though it might be, to inquire how or when monogamic perpetual marriage came to be a recognized part of the moral code. From the beginnings of history we find connected with marriage and the family an idea of sanctity, of acts permitted and acts prohibited by the highest of all sanction. Objection has been taken to the morality of the *Œdipus Tyrannus*, recently performed at Harvard University, on the ground that it portrays too openly crimes against the purity of the Family. But would to God that now, in the end of the nineteenth century of the Christian era, after thousands of years of the world's progress, we might once again reach such a high conception of the Family that our greatest poet should set forth a crime against its sanctity as the most awful of all crimes that a human being can commit, calling down upon him, even though innocent in his knowledge and intent, the direst vengeance of Destiny!

Now, this being the nature of the Family, the State owes to it protection in the maintenance of its true character as a factor in the moral

order of the world. The State, although not bound to adopt, profess and defend a system of morals, is bound to protect morality, and therefore is bound to protect the Family in its moral constitution. It is bound to deal with marriage as a union, and not as a mere contract. If the State in any legislation treats marriage as it would treat a mercantile partnership, or the Family as a casual group of human beings, it so far encourages immorality and becomes partaker therein. In making laws respecting marriage and divorce, the custody and education of children, the State is bound to have regard to the moral bearings of such legislation, to its influence on the estimate in which marriage and the Family will be held by the community. Look at the marriage laws of the several States. Think how often and how easily they have been changed within the memory of this generation. How could it be otherwise than that this should convey the impression to the popular mind that marriage is an arrangement wholly within the power of the Legislature, which may be modified to suit the prevalent opinion, with no sanctity, no questions of eternal morality, entering into it? Who shall say how much this capricious, irresponsible legislation may have had to do with recent increase in divorces?

Again, inasmuch as the judgment and conscience of the enlightened portion of mankind attach a religious sanctity to marriage, as that sanctity is a safeguard to purity within and a bulwark against temptation from without, the State should countenance and encourage religious marriages, in preference to civil. The question of civil marriages has its pertinency in countries where ecclesiastical despotism encroaches upon the rights of the Family. But in free countries, where there is no such danger, while civil marriage should be permitted, marriage under religious sanction should be encouraged, both by public opinion and by the provisions of law. The State should deal in this matter with marriage as it does with testimony. In matters of evidence the State acts upon the principle that morality reaches its highest point by calling religion to its aid, and for that reason puts the witness under oath. It should, under the same principle, seek to promote the highest attainable morality in the marriage relation by invoking the sanctity of religion to preside over the act which leads into that relation. It would be a sorry outlook for the Family to see multiplying among us in this country marriages *solemnized*—if the expression is admissible—by civil magistrates, by justices of the peace, for example—performances always awkward and unseemly, often ludicrous, necessarily lacking in the reverent spirit

appropriate to such an act, and dispensing with all that fine sentiment which, for once in life, every one acknowledges to be charming, and which really has use as well as charm. The best possible endowment of the Family—its best defense against threatening evils, the best guarantee for its permanence, its harmony, its efficiency in the State, the church, the world—would be to have firmly imbedded in its deepest consciousness the conviction that “Except the Lord build the house they labor in vain that build it.”

M. H. BUCKHAM.

INTEROCEANIC COMMUNICATION.

THE period of discussion in regard to interoceanic communication across the isthmuses of America is rapidly drawing to a close, for, with the partial completion of either of the three routes upon which the attention of the world has ultimately been concentrated, the undertaking of an additional enterprise of a like nature would be deferred for at least a century, or until the British-American race shall have possessed itself of the Pacific coast of both Americas. These three routes are the canals across the Isthmus of Panama and by way of Lake Nicaragua, and that contemplated by Mr. Eads' scheme for a railway across the Isthmus of Tehuantepec. The public consideration of these projects is, however, still an open one for the Panama Canal is yet very far from being a *fait accompli*, while the merest accident of legislation at Washington would lead to the immediate undertaking of either or both of the rival enterprises. It may be well, then, to consider briefly these different schemes.

Shortly after the conquest of Mexico and Central America the subject of interoceanic communication was taken under advisement by that many-sided monarch, the Emperor Charles V. It had been believed that, somewhere to the northward of Mexico, there existed a water communication, called the Strait of Annian, between the two great oceans. Columbus, whose brilliant achievement was the result of an attempt to sail westward to the Indies, died in the belief that he had discovered only outlying islands of the Indian seas; while Cortés, after his master by far the keenest-witted man of his generation, became a monomaniac on the subject of a short route

to India, and impoverished himself in fitting out futile expeditions to the northward. From the reports of those whom shortly after the fall of Tenochtitlan he had sent to the southward, from that of Pedro de Alvarado, who, on his way to the conquest of Guatemala, crossed the Isthmus of Tehuantepec between the mountains and the southern sea, but chiefly from his own observations, made on the remarkable march to Honduras in search of his faithless lieutenant, Diego de Ardaz, Cortés came to regard that isthmus as a possible interoceanic route. It is more than probable also that he gained much information on the subject from Nalinche, his interpreter and something nearer yet, who was a native of the isthmus, and whose grave is on an island in the Coatzacoalcos. The idea of interoceanic communication must have been revolved oftentimes within that fecund brain, and may well have had its influence in his choice of title and estates, for the Marques del Valle de Oaxaca selected the fertile uplands of the isthmus as the main portion of the vast domain which was his guerdon from the crown. A stream on the Pacific side of the Cordillera is still called the *Arroyo del Marques*, and the lands, a considerable portion of which was recently purchased by ex-President Diaz, are yet known as *Las Marquesanas*.

In the belief of men, the Straits of Annian existed for several generations later. In 1570 Francis Drake, fearing to run the gauntlet of Spanish ships lying in wait for his booty-laden vessel, dared not return homeward by Cape Horn, and, hoping to find a passage to the Atlantic, turned his prow northward; but, after reaching the latitude of San Francisco, he abandoned further quest, and, with characteristic boldness, sailed on around the world. Long ere this, however, the practical Emperor had apparently given up the theory of the northern passage. Among the invaluable documents relating to the early history of Spanish America, preserved in the general archives of the Indies, at Seville, is a decree of the Emperor, given at Toledo, February 20, 1834. It is addressed to the Governor of the province of *Castilla de Oro*—Golden Castille, as the isthmus region of Colombia was then called. After reciting that the Emperor had received information concerning the navigability of the Chagres to a distance of some five leagues for caravals, and to a like distance further for smaller vessels, the Governor was ordered to make, personally, an examination of the country lying between the head of navigation on the Chagres and the Pacific, reporting what difficulties, arising from the configuration of the land and from the tides of the sea, might oppose themselves

to the construction of a canal. The Governor was directed, furthermore, to estimate the probable cost of the work, the number of men necessary for carrying it to completion, and in what time this could be effected. At the time Don Pascual de Andagoya, who had already served the crown for several years in America, was acting Governor of the province, and wrote to the Emperor from Nombre de Dios, in October of the same year. Andagoya said that the information received by the Emperor must have come from a person of very little common-sense, one who evidently had traveled but little in that region, and who had noted nothing of its features. Nevertheless, he would make the examination in the coming dry season, for, unless the vegetation covering the soil were burned, the country could neither be traversed nor seen to advantage. He emphatically averred his belief that there was not a prince in the world whose resources were equal to the undertaking contemplated. In his opinion, the true manner of joining the two seas consisted in a ferry-boat for the passage of the river, the clearing of the banks of the stream, and the repair of the road from the head of navigation to Panama. All this could be accomplished by fifty negroes, to be sent from Cape Verde, and the transit so improved would be sufficient for the wants of fifty times the provinces of the Pacific coast. In conclusion, Andagoya threw out a bait, in the shape of a suggestion, that, were the route improved in the manner indicated, more merchandise would cross the isthmus, to the corresponding benefit of the revenue. During the reign of Charles' successor the project was revived, but the two Flemish engineers sent to make the survey reported that the obstacles to be overcome were insuperable. Shortly afterward, either because it was the policy of Spain to maintain the Gulf of Mexico and the Caribbean closed seas, or from a fear that the English buccaneers, now passing to and fro at their will across the lower end of the isthmus, would find too easy a route to the Pacific, the India Council reminded the King of the great damage that the opening of a canal would cause to Spain, and Philip decreed that in future no one should broach the subject, under the penalty of death. Under Philip's successors the constantly increasing decline of Spanish wealth and power precluded any revival of the scheme.

In 1523 Gil Gonzalez Dávila, sailing northwestward from Panama, along the Pacific coast, had discovered the Lake of Nicaragua, and, in the report of his voyage made to the Emperor, had suggested this route to India. During the reigns of Charles and his son the project

was frequently renewed. In July, 1545, Friar Antonio de Valdiviess, then recently made Bishop of Nicaragua, wrote from Gr^{acias} á Dios to the Emperor. Among other measures for the benefit of his diocese, he advocated that of making the Nicaragua route obligatory between the mother country and its colonies on both shores of the Pacific, averring that, by improving navigation at the rapids of the San Juan (then called merely *desaguadero*—outlet), large vessels could come to within three leagues of that ocean. The Bishop contended that this was a far better route than that from Nombre de Dios to Panama, and terms Nicaragua the key of the Pacific. In February, 1548, the municipal council of Leon petitioned the crown for permission to improve the navigation of the *desaguadero*, in order that merchandise from Spain might more easily reach the city, and because trade between Spain and India would be greatly facilitated. The project came to naught, as had all the others.

During the remaining long years of Spanish rule in America all these projects slumbered, save that, toward the close of the eighteenth century, the viceroys of Mexico caused some examinations to be made on the Isthmus of Tehuantepec, with a view to the construction of a canal which should unite the Coatzacoalcos and the Chimalapa. Within the last half century, however, the subject of interoceanic communication has received constant attention. Our own Government especially, as well as those of France and Great Britain, have caused careful examinations to be made at many points, from Tehuantepec to the valley of the Atrato, and many expeditions have been made by private individuals and by corporations. But none of these projects, for reasons already given, now demand attention, and I pass to a brief consideration of the three routes which I have mentioned.

I. PANAMA.

It may, or it may not, be the intention of M. de Lesseps to construct the Panama Canal; but it is very evident that an apparent commencement of operations has been made without a very careful consideration of the scientific problems involved other than that given to the matter by an ambitious, but inexperienced, officer of the French marine. While M. de Lesseps is entitled to all the meed of fame due to him because of the successful construction of the Suez Canal, he is not an engineer, and this work in itself does not entitle him to be considered an authority in the matter of American interoceanic communication. By the aid of despotism, employing means of which the world

possibly may never know, he accomplished in the Orient a work requiring time and labor—nothing more. The construction of the canal at Suez involved merely the simplest problems of engineering science, equal neither in time nor in degree to those that have made many of the canals of this country and of Europe the enduring monuments of their constructors. To cite an example familiar to the profession, the construction of the long level of the Erie Canal called for the exercise of greater engineering skill than the Suez Canal could have needed. M. de Lesseps' task consisted in cutting a level ditch through a level country; the construction in California of any one of the great ditches for the purposes of mining or irrigation calls for far more professional ability than it was necessary to show at Suez, for in the former case differences of level and other natural features of the country demand very careful study. M. de Lesseps has simply been successful in making a sustained effort. Now, while steadfastness of purpose is undeniably necessary to any undertaking, small or great, this of itself does not entitle the possessor of that estimable trait to the lavish encomiums showered upon M. de Lesseps. This gentleman is an enthusiastic Frenchman, who has allowed himself to be carried off his feet—to borrow a racing term—and actually believes that his mere *brutum fulmen* will convince practical men of the feasibility of his somewhat visionary scheme. It is well known that twenty years ago young mining engineers, carefully educated in the best schools of the Atlantic States and of Europe, found that the mines of the Pacific slope presented to them entirely novel features; a similar condition of ignorance is not to be wondered at in the case of a civil engineer, however eminent, who undertakes to pronounce upon the question of interoceanic communication in America without a thorough acquaintance with the country and the peculiar problems to be solved. The limits of this article do not admit of my noticing all of these problems as extensively as might be desired, but the main points concerning the Panama route are the following:

In tropical America the forces of nature are such as do not enter into the calculations of an European engineer. It is true that frost is unknown, but water is a foe whose attacks can neither be definitely foreseen nor fully guarded against. Any engineer who has been employed in the tropics knows to what ingenious shifts he has had recourse in order to secure his works from the effects of the rainy season, and remembers how often he has seen the labor of days neutralized by the flood of a single night. If this be true concern-

ing ordinary engineering structures, how much more skill and caution would be demanded in an enterprise so gigantic as the Panama Canal, and how much more stable must be the locks, dams, and the like, accessory to its construction? It should be remembered, in this connection, that, with the exception of the rainfall of some portions of India, and of the valley of the Orinoco, no greater is recorded than that of the Atlantic coast of America from Veragua to the Atrato Valley.

Moreover, the American tropics are very frequently visited by earthquakes. Now I am well aware that the earthquake is an element rarely considered by engineers who have studied interoceanic communication, but, I submit, it is a very important one. It is not necessary to attempt any argument touching the utter weakness of the work of human hands when opposed to the force of an earthquake; equally futile would it be to notice the objection that, because the Panama Railway has not yet been destroyed by an earthquake, therefore the Panama Canal would endure forever. No signal service has as yet undertaken to predict an earthquake, and, though this were possible, its effect could neither be avoided or remedied.

These two objections are common to all the routes which have been proposed for interoceanic communication, although, as has been said, that concerning the rainfall is more especially applicable to the routes south of Veragua. It rains with almost equal force on both slopes of the Cordillera from Costa Rica to the southward. In Nicaragua the rainfall of the Pacific slope is less, while on the Isthmus of Tehuantepec it seldom or never rains in that section.

Terminal locks are absolutely essential to the canal at Panama, for, though at both termini the mean tide-level be the same, at Colon the sea rises only eighteen inches, and the tides are of the single type, while at Panama the rise is about as many feet, and the tides are double. In both oceans the tides are unequal; consequently, without terminal locks, a bore similar in kind, but in degree far more formidable than that of the Strait of Magellan, would occur with every turn of the tide. Given the destruction by an earthquake of either terminal lock, the sea would create a breach through the isthmus which, until after the lapse of time it should have attained a certain width, or until it were sufficiently widened by human agency, would be navigable even for steamers only for a short time daily.

The so-called harbor of Colon is merely an open roadstead, its shores strewn thick with wrecks. Steamers lie at the wharves with their

heads to seaward, and with steam up, in order to escape, if necessary, from the frequent and terrific northers which come upon them almost without warning. To withstand these gales the needed artificial harbor must be much better built than was that of Port Said, for the Caribbean is no "summer sea" such as the Mediterranean is.

Multiply the difficulty and cost of construction of that portion of the Panama railway which crosses the swamp extending from Colon to the foothills by several thousands, and we shall arrive at the import of the task of carrying a canal across that section of the isthmus. In the former case it was necessary only to continue filling until solidity was obtained; the canal would be an excavation, and the main difficulty would consist in preventing this from filling in.

It is intended that the canal shall cross the Chagres River at a point near Barbacoas, and at a depth of some sixty or seventy feet below the bed of the stream. At Barbacoas the railway bridge is fifteen hundred feet in length, and the river has been known to rise some sixty feet in a few hours. A short time ago, while M. de Lesseps was in this country, the bridge at Barbacoas was damaged seriously by a flood. M. de Lesseps was asked, in San Francisco, what he intended to do with the Chagres River, and replied that he should treat it as rivers were treated in Europe—should build a dam, and divert its course. Now a river in Europe, where there is a rainfall of some thirty inches, is one thing, and a mountain torrent of tropical America, where the rainfall is five or six times as great, is another thing. The relative weakness of dams increases with their size, and it is exceedingly doubtful whether the Chagres River could be dammed except at a cost far in excess of the sum estimated.

While the Atlantic coast of America, from Vera Cruz to a point far to the southward of Rio de Janeiro, is only less mortiferous than the west coast of Africa, at Colon it is more so than at San Juan, and far more so than at Minatillan. Indeed, adopting the distinction of climates in vogue in Mexico, the Atlantic coast of the Isthmus of Tehuantepec is *pestiferous* only. On the latter isthmus the climate, even from a considerable distance Atlanticward of the summit to the Pacific, is exceptionally good; so it is about Lake Nicaragua and in the region lying between that lake and the Pacific, but the climate of Panama is almost as bad as that of Colon. During Spanish ascendancy the isthmian region, from Verogua to the Atrato, was known as *the grave of Spaniards*, and, it has been said, every tie of the Panama railway is the corpse of a navvy. M. de Lesseps has discovered already

that on the Isthmus of Panama Europeans cannot labor and live; he will find, as did the constructors of the railway, that Chinamen will disappear even more quickly, and that a limited supply of Jamaican negroes will form the force of laborers on which he can count securely.

From an engineer's point of view, these are the most salient objections to the scheme of M. de Lesseps. If ever the canal be constructed as he has planned the work, even with the aid of the auxiliary railway, its cost will exceed by many fold that of the estimate. Through it no ship will pass during the present century.

II. NICARAGUA.

The Nicaragua route is by far the longest of the three, being, in round numbers, four times the length of the Panama route and double that of the Tehuantepec route. Although apparently a quarter of the distance (in all somewhat more than two hundred miles) lies in the Lake of Nicaragua, yet for a considerable distance from either shore the water of that lake is very shallow, and, in order to obtain a depth of five fathoms, very costly piers or jetties would be needed, both at the entrance of the canal proper leading to the Pacific and at the mouth of the outlet from the lake. The latter work would require a guard-lock, and constant dredging would be imperative in both channels. It might well be found necessary to cross the lake with a continuous line of works. The harbor at the Atlantic terminus would be far more costly than that at Colon, for, while the roadstead of Colon has naturally a sufficient depth of water, and requires no dredging, the so-called harbor of San Juan is to a very great extent choked up with silt from the river. At the Pacific terminus the necessary works would be somewhat less costly.

A great number of locks—twelve at least—between that at the upper end of the outlet and the terminal lock at the river's mouth, and more than that number between the lake and the Pacific—the difference of level being about one hundred and thirty feet—are a very costly necessity on this route. The construction of these locks would probably involve an expenditure in excess by many millions of their estimated cost.

It would undoubtedly be necessary to construct an independent canal (as proposed thirty years ago by Childs) for a distance of some twenty miles above the mouth of the river—to include four locks at least—for the floods below the mouth of the Serapequi, as well as the natural features of the San Juan itself, forbid the use of this channel.

At many points above the mouth of the tributary mentioned shorter lengths of independent canal must be constructed, and dams—for slack-water navigation—such as have never been built, thrown across the San Juan at many different points.

The remarks already made about earthquakes apply also to works constructed on this route, though not with equal force, for the destruction of one or all of these would not be followed by the damage which would indubitably ensue in the case of a thorough-cut at the level of tidewater.

As has been said, the Atlantic coast of Nicaragua is less unhealthy than that of Panama. In Nicaragua Europeans can possibly labor and live for a few months, or even years. It is possible, moreover, that a large force of laborers might be obtained in Nicaragua, and from among the Caribs and other Indians living along the Atlantic coast.

In the Nicaragua scheme the paramount question is that of cost. What would Don Pascual de Andagoya have opined on that subject? Undoubtedly it would be far in excess of that of the Panama Canal and the Eads' Railway combined.

III. TEHUANTEPEC.

In its entirety the scheme of Mr. Eads is almost a novel one, but the scientific principles on which it is based have been tested, singly or in combination, time and time again. An honestly constructed ship of metal should possess some of the qualities of a well-cast hollow iron beam; it should be possible, were it ever necessary, to elevate such a vessel if supported only at the extreme ends. Vessels of the largest class that sail the seas, fully laden, have been taken out of the water and docked for repairs, remaining for several days in dock. Such an undertaking is not considered marvelous, nor is the least fear that the hull be injured by the operation ever felt or expressed. On the contrary, a vessel which could not withstand such handling we should undoubtedly condemn as unseaworthy. Why, then, may not a ship be cradled on a flat car of sufficient dimensions and strength, held in position by braces and blocks, and safely transported to a distance of one mile or one thousand miles? Damage to the vessel during transportation is the main objection to the Eads project; but, in its support, it would seem that the projector has the good opinion of a majority of noted engineers and naval constructors of mark. As to the railway proper, all the remaining features are merely matters of the

stability of road-bed and structures, and of power—matters concerning which no argument is needed.

At the mouth of the Coatzacoalcos no such works as those imperative at Colon and at San Juan are necessary. For several miles from its mouth the course of the river is northward, and the depth of water on the bar, composed of an indurated clay and in no part of silt, has not varied since the days of Cortés. Dredge away that obstruction, construct a few wing-dams within the river's mouth, and, even during a norther, ships can run with safety into a secure harbor sufficient to contain many times the number which would be likely to congregate there.

It is proposed to utilize the Coatzacoalcos and its tributary, the Uspanapa, for a distance of several miles, and there are several points where the channel must be kept in order by dredging. It is further proposed to cut a canal through the lands subject to overflow lying between the two rivers, from the bank of the Uspanapa to the foothills, or to the level of firm ground. In kind, though not in degree, this is a labor similar to that proposed at Colon, but the rainfall of the Coatzacoalcos is far less than that of the Chagres, and during the dry season the bottom lands of the former river are comparatively firm.

From the foothills mentioned to the summit the construction of a railway would be less difficult than it has been on many of our country's thoroughfares; it is a mere question of outlay. So, also, the descent from the summit to the level Pacific plains requires no more ability than that daily shown by any experienced locating engineer.

On the Pacific costly works will be needed, for the Gulf of Tehuantepec is, like all similar indentations along the Pacific coast of Mexico and Central America, a place of storms; and the landing place for the City of Tehuantepec, which is not immediately on the seaside, is called, not unmeaningly, La Ventosa—the windy place. If the rocky promontory known as Salina Cruz be selected as the terminus, a single pier or breakwater will secure an ample harbor. If the line be carried through the great lagoon to the southward, jetties must be constructed, and constant dredging resorted to.

Any structures at Tehuantepec would be as exposed to damage from possible earthquakes as they would be further to southward, but, for reasons already given, an accident of this nature would not be attended with permanently prejudicial results.

The Coatzacoalcos is unhealthy, though less so than the Chagres

or the San Juan. Until the foothills of the Atlantic slope were reached, Mr. Eads would find it difficult to obtain laborers. As such the inhabitants of the Atlantic seaboard of Mexico are worthless, and the dwellers on the Pacific slope, who are both active and intelligent, could not be induced under any consideration to labor in the Coatzacoalcos Valley.

Estimates for work of any description are not easy to make, even for one experienced in such matters. The estimates of cost for all three routes seem to be very low. If Mr. Eads has erred in any of his brilliantly successful engineering projects, and I say it with all due deference, it has been in underestimating the cost of the work. In the case of the ship railway, this possibly is not to be wondered at, since it is a novel undertaking, and its projector has never been called upon to estimate the cost of work in tropical America. However this be, it is certain that the ship railway is by very many millions the least costly project of the three.

I have endeavored to mention fairly, and as fully as the limits of this article permit, the main objections to the three routes, from an engineer's standpoint. I have not touched upon the relative advantages to commerce of either route, nor on the very important question of our interest as a nation—these are considerations beyond my province or my aim.

GEO. BUTLER GRIFFIN.

BOOK REVIEWS.

“**A** **AMERICAN** Statesmen—John C. Calhoun.”¹ “A man endowed with an intellect far above the average, impelled by a high-soaring ambition, untainted by any petty or ignoble passion, and guided by a character of sterling firmness and more than common purity; yet, with fatal illusion, devoting all his mental powers, all his moral energy, and the whole force of his iron will, to the service of a doomed and unholy cause, and at last sinking into the grave at the very moment when, under the weight of the top-stone, the towering pillars of the temple of his impure idol are rent to their very base.

¹American Statesmen—John C. Calhoun. By Dr. H. Von Holst. Boston: Houghton, Mifflin & Co. 16mo. pp. VI, 356. \$1.25.

Can anything more tragical be conceived? That is, in a few lines, the story of the life of John C. Calhoun."

Thus Dr. Von Holst outlines his subject. We are not told whether this is a translation, like the English edition of his history, or whether he wrote it as it stands. The style is earnest and clear, excepting an occasional sentence, perhaps to be excused in rendering his ideas into English.

Born in South Carolina, a graduate of Yale College, Calhoun appears in these pages as a man little known in merely personal details, mainly of interest as a champion in the great contest between slavery and freedom, in which he took so prominent a part. There is a lesson in Calhoun's methods for the orator of the platform who imagines that he is producing conviction by directing attention to the person of an opponent, and yet more for the orator of the pulpit who thinks to emphasize his teachings by mentioning sinners by name where he has the exclusive right to speak, and it would be almost a breach of the peace for any one to manifest dissent. Dr. Von. Holst says: "From the beginning of his public career he observed the parliamentary proprieties with the rigor and naturalness of the born gentleman. Often did he prove that he could wield with equal force and dexterity the trenchant sword and the massive club, but he always attacked the argument of his adversary, and not his person." The temptation to transfer concise statements of the relations of parties, of the changes in Calhoun's own position as the subject grew and circumstances varied, could hardly be gratified except by such extended transfers as to turn a good share of the biography into these pages.

Calhoun was long in public life. In Congress, twice Vice-President, Secretary of War under Monroe, and Secretary of State under Tyler, he made his impress on the foreign policy and on the internal management of the Government, subordinating everything at last to the great question of the hour. He put order in the War Department, and anticipated the most advanced ideas of to-day upon the civilization of the Indians. Von Holst deems him a zealous Unionist, and interprets his utterances on disunion as warnings, not as threats. He rested on the Constitution. He opposed the Mexican war; yet he became imbued with the view of slavery as a blessing, not without an irrepressible conflict, which he seemed to recognize before the expression was identified with the words of another man. In the noted nullification case Von Holst discredits Benton's statement that Jackson

threatened to hang Calhoun. "He [Calhoun] did yield, but only because Jackson and Congress yielded still more."

Calhoun saw plainly the outcome of events, yet he failed to place himself where the catastrophe should not ruin his cause. The aggressions of liberty would endanger the old Union, but the slavery Union would still exist, though with the inevitable influences of industrial activities, free migration, and the agitating forces that keep the world in general from stagnating shut out. With anti-slavery views elsewhere rife, Calhoun's policy would at last have made a Union as isolated and as closely hedged in as was ever China or Japan.

The side views we get of other prominent men are not without value.

"History of the United States of America Under the Constitution." ¹ Mr. Schouler is a lawyer of scholarly tastes, and a writer on political questions. His present work covers a ground not treated in any fullness except by Dr. Von Holst and by Hildreth, whose works are more expensive, and the latter of which was prepared before the materials now available were accessible. To one who wants something more than the running outline in the single-volume school histories, these volumes and their probable continuance will be welcome opportunity, while they embody enough new material to give them value to those who can own the works of Hildreth and of Von Holst. We have looked over our table for a book whose typography we could extol as a model, and thereby avoid the designation of its opposite; but broken type or misplacements of letters are not wholly wanting in any of them. Here are some errors for whose form it is not clear whether proof-reader or author is responsible, as in Vol. II, p. 209, where "favor circumlocution in office," is used for *favor rotation in office*. There are expressions on incidental issues that are not always distinctly wrong, nor yet clearly right, especially in the impression they leave. Thus, F. A. Walker is called Commissioner, in connection with the Census of 1870, of which he was *Superintendent*. Daniel Boone, Vol. II, p. 249, is said to have been one of the earliest American settlers of St. Louis, but to have returned to Kentucky. Neither "Walker" nor "Boone" appears in the index.

¹ History of the United States of America Under the Constitution. By James Schouler. Washington, D. C.: William H. Morrison. 16mo. Vol. I, 1783-1801, pp. XVII, 523. Vol. II, 1801-1817, pp. XV, 472.

Boone's Missouri life was mainly on the north of the Missouri River, at some distance above St. Charles. He returned to Kentucky, but only to pay his debts; and, after his death and burial in Missouri, his remains at last were removed to Kentucky. The name Buckeye State for Ohio is said to be from "an indigenous chestnut tree." While the Buckeye is called the American horse-chestnut, it is not kindred to the chestnut in the family of oaks, but belongs with the maples. The White House is spoken of as "some two miles from the Capitol." From the west side of the Capitol to the east side of the White House is one mile and a half.

Mr. Schouler uses words with reference to past affairs popularly supposed to have a recent application in such sense. His Georgia "Cracker" partook of "samples" at the grocery in 1809, and he has "Stalwart" politicians before 1800, and even the Richmond *Enquirer* of 1811 is classed among "Stalwart presses."

Not all will agree that Washington is marred by its unique arrangement of streets. No Chicago conflagration is possible. No dense masses of back alley tenements for filth and pestilence can find place in Washington. The rectangular arrangement of a city is very prim, but a few diagonal streets are a saving to travel in cities, as well as in the broad West, where the roads are generally laid at right angles along the section lines.

"Better a diamond with a flaw in it than a polished pebble," says an old proverb, and there are books that exemplify it. Many a book of fine literary elegance and of fastidious form lacks the solid worth of some less attractive in dress. These volumes contain the results of laborious compilation and discriminating judgment. To some extent the author has had access to papers little seen by others, especially to the Monroe correspondence, still in manuscript in the State Department at Washington. As James Monroe was a Senator, filling a vacancy in the First Congress, and was sent by President Washington to represent our interests in France, it will be seen that his correspondence covers much more than his views on the so-called "Monroe Doctrine," associated with his name in the popular mind—a doctrine, however, credited rather to Jefferson than to Monroe in these pages.

The author has too much to tell to avail himself of devices for spreading out the matter. With fair type, and utilizing all the space, each of these volumes contains more than twice the matter of some books of the same nominal form.

The people at large have a definite idea of the fitness of Washington for the presidency, and they see the general causes that led to his election. They have a general idea of the services of the Adamses, with no clear sense of any reason why John Adams, successor of Washington, had but a single term, or why the Federal party died. Jefferson is well defined in the popular conception, though that conception is entirely inadequate—a matter of degree, however, rather than of error. The preparation of Madison and of Monroe for the presidency, and their services to the country in other capacities, are not popularly known.

All these men are brought before us in a clearer view, and in some degree in new relations. All these men were directly identified with the establishment of the Constitution. Two men, afterward to appear as Presidents, appear prominently in these pages—John Quincy Adams and Andrew Jackson.

The political antagonisms of the talented Hamilton and the able Jefferson, while both were members of Washington's cabinet, are brought out in a light that casts in the shade any cabinet plottings since the days of Buchanan. Jefferson here bears the investigation of the historian best. The testy John Adams tried to continue the cabinet as Washington left it, but the insolence of England, the tendency toward war, taxation, diplomacy with France, and the scheming of his cabinet, made it a stormy administration—not an ill-success, so far as the country's interests were concerned, but unfortunate as “regarded from a personal and party standpoint.” This was due “in part to the unfortunate circumstances by which Adams was surrounded, and in part to faults inseparable from his headstrong and original character.”

We see even Washington temporarily under a cloud of unpopularity; John Adams, issuing commissions to new officers up to his last presidential moment, and then driving out of Washington on the morning of Jefferson's inauguration, without waiting for the ceremony; Jefferson, as a civil service reformer, voluntarily reducing his own patronage; Gallatin, as financier and as diplomatist, left embarrassingly in Europe by the Senate's refusal to confirm his appointment by Adams. All these views give reality to the picture of the earlier administrations, affording profitable reading to the student of our present affairs, while our relations to France, and to Spain, and to England, with our own growth and expansion, are brought clearly before us.

"Victor Emmanuel."¹ This is published as the first in a second series of "The New Plutarch, or the Lives of Those who have Made the History of the World," in the prospectus of which it is announced as "Victor Emanuel and the Attainment of Italian Unity." The *fac-simile* signature under the frontispiece is "Vittoire Emanuele," which we do not transfer to English, nor are we consistent with ourselves in Anglicizing it, true to our confusion of spelling. The popular Victor Emmanuel was Victor Emmanuel II. Mr. Dicey is a careful English student of history, and a scholarly writer, though he or the proof-reader is responsible for the expression that "it was the fortune of the present writer to have resided at Naples during the last days of the Bourbon Monarchy, and throughout the Garibaldian Dictatorship."

The school-boy of to-day has some perplexity over the boundaries and appropriate names for shifting governments in Central and Southern Europe, but the Germany of to-day and the Italy of to-day are easily comprehended, as compared with the clusters of duchies and kingdoms that less than a generation ago scarcely retained their alliances long enough for a draughtsman to take their likeness in map form.

The men who above all others were conspicuous in bringing Italy into an independent governmental unity were Victor Emmanuel II., Count Cavour, and Garibaldi, who appear in their relative positions in Mr. Dicey's Essay. We get a glimpse of others, as of Louis Napoleon, without whom events would not have had the same development. Solferino and Sedan, French alliances and German treaties, had each their share in the result.

Garibaldi appears as the brilliant guerrilla, almost as feeble in results for Italy as John Morgan, with his raid through Ohio, was for Confederate success in our late war.

While giving the political and social events that made a united Italy possible, the historian gives emphasis to the life of Victor Emmanuel, in showing how he made the events of the hour tell for the great purpose of his life. "To know what you want is the secret of all success, and no one ever realized more fully what it was he wanted than the first King of Italy." Coming into authority by the abdication of his father, when almost crushed out of the little dukedom of Savoy in an Austrian victory, he had brought European wars to his help. The bold stroke by which his great adviser, Cavour, secured position among

¹ Victor Emmanuel. By Edward Dicey, M.A. New York: G. P. Putnam's Sons. 16mo., cloth, extra. pp. 336. \$1.

European powers was in a marked sense a decisive move. Sardinia, as Victor Emmanuel's government was then recognized, furnished 18,000 men to the Crimean war as an ally of England and France, and, having won independent fame, their State gained position among the powers.

The index is not worthy the name. Important personages are omitted, including the mother and the wife of Victor Emmanuel. In the first fifty pages of the essay occur half a dozen mentions of his father, not one of which is indicated in the index. The essay is divided into forty-three chapters, and the numbering of pages begins with the fly-leaf.

In reference to Pius IX. Mr. Dicey says: "A far worse man would have wrought far less evil." We have no need to go to Italy to see destructive results from efforts to promote social and political reform by putting forward men of very sound views without courage or energy to be just or efficient.

THE INTERNATIONAL REVIEW.

AUGUST, 1882.

ON SOME CHANGES IN THE LEGAL STATUS OF THE CHILD SINCE BLACKSTONE.

THE child's position under the law at this time is unique in the extent to which care for his welfare is carried.

Whereas the State, through its judicial function, gives to the adult protection in the enjoyment of life, liberty, property, and the pursuit of happiness, to the child it gives the same protection of life, with additional favorable provisions—the same protection in the enjoyment of liberty to an extent restricted only for his good,¹ and the same protection in the enjoyment of his property under legislation rich in provisions for his interests.²

Primarily, the law assumes that parental affection secures this three-fold protection, and therefore upholds parental rights and enforces parental duties; yet it recognizes the fact that parents may be dead or delinquent, and provides for this contingency by instituting the quasi-parental relations of guardianship and adoption, and by providing for the transfer of custody and the settlement of pauper and illegitimate children, while, wholly apart from the paternal relation, the State now, as never before, takes cognizance of and bestows favor upon the child in systems of public education provided by the State, in the development of factory acts, in legal disabilities imposed and special provisions enacted for the child's protection.

In the case of dependent and delinquent children, too, recent statute law provides modified treatment quite in the spirit of the old common law provision, which pronounced a child under seven years conclusively incapable of crime, and a child under fourteen *prima facie* so.³

¹ See Schouler, *Dom. Rel. Custody*.

² Bl. ch., 17, 3: "Infants have various privileges and various disabilities; but their very disabilities are privileges, in order to secure them from hurting themselves by their own improvident acts."

³ Bl., ch. 17.

This extremely favored position of the child under the law has not always existed. It is chiefly the product of the present century, and is, therefore, of statute origin,¹ and it has been attained by legislation involving consequences not perhaps wholly foreseen. The existing mass of laws affecting children has been created in ever-increasing recognition of the child's welfare as a direct object of legislation, apart from the family relation; and herein lies the cardinal distinction between the status of the child to-day and its status under Blackstone.

In the Commentaries, although the principle of especially caring for childhood was recognized, it was expressed chiefly in laws which benefited the legitimate child within the family, and which acted in and through the family or its substitute, the guardian; and at best the development of the principle was merely germinal. One evidence of this is that Blackstone has no chapter upon Infancy. The domestic relations of the child are discussed under the head Parent and Child; the relation of the young criminal is dismissed with a brief discussion of the age at which criminal responsibility is attained; the disposition of pauper children falls naturally under the Poor law, and the maintenance of the illegitimate child is summarily devolved upon the father or the parish, as circumstances decide, without reference to the good of the child. Nowhere in the Commentaries is there a hint that the common law regarded the child as an individual, with a distinctive legal status. The nearest approach, perhaps, to this is in the discussion of legal disabilities, where it is stated: "Infants have certain privileges and certain disabilities, but their very disabilities are privileges preserving them from the consequences of their own rash acts;"² but even here the child is viewed in connection with the ownership of property—somewhat as an appendage to it—and the discussion has reference more to the property than to the child.

So throughout the Commentaries the child is merely an incidental phenomenon, and his moral welfare is ignored. This is well illustrated by the relation of custody. Perhaps no relation of childhood is so universal as this; but Blackstone discusses it under the head Parent and Child, regarding it purely as a paternal right, ignoring the welfare of the child, and emphasizing only the absolute ownership of the father.

The child's welfare being in no sense an object to be secured, there is in the Commentaries no provision for granting to the legitimate child the benefit of transfer from the custody of a delinquent father to

¹ See Schouler, Dom. Rel., Introduction.

² Bl., ch. 17, § 3.

that of its mother,¹ or to that of any other person. The father owned his legitimate child. It was his chattel, to be kept or given according to his whim. So absolute was the paternal possession that, though a minor, the father could give or bequeath away his child's custody despite its mother, though it were an infant in arms, or even before its birth;² and, though the father died a minor, he could deprive his child of its mother's care by appointing testamentary guardians, with absolute power.

The growth of this branch of the law is marked. The first change was made in England by the Wills act,³ which debarred a minor from appointing testamentary guardians. Next, in 1839, the Custody of Infants act⁴ provided for giving to the mother access to her children under the age of seven, or possession of them to that age, under certain specified circumstances. Finally, in 1873, the Infants' Relief act⁵ provided for the access or possession of the mother until the child should reach the age of sixteen, under the same circumstances as before.⁶ And it is now laid down that "the Court of Chancery (English) will interfere with the rights of a father to the custody of his children, the object of the interference being, of course, the benefit of his children, not the punishment of the father, on grounds of unfitness of character and of conduct,"⁷ while the American authority, Schouler, writing in 1870, affirms that.⁸ "In this country the doctrine is universal that the courts of justice may in their sound discretion, and when the morals or safety or interests of the children strongly require it, withdraw their custody from the father and bestow it upon the mother, or take the children from the parents and place the care and custody of them elsewhere."⁹ The rule as to legal preference is essentially that of the common law, with, however, an increasing liberality in favor of the mother, strengthened in no slight degree by positive legislation.

¹⁰ The father has then the paramount right to the custody of the children, independent of all statute to the contrary. But this right he may forfeit by his misconduct. "It is an entire mistake," says Judge Story, "to suppose that the court is bound to deliver over the infant to its father, or that the latter has an absolute vested right in the custody." The cardinal principle in such matters is to make the

¹ Bl. Com., ch. 16, § 2: "A mother, as such, is entitled to no power, but only to reverence and respect."

² Simpson's Law of Infants (1875), p. 144.

³ 1 Vict., ch. 26 (Wills act).

⁴ 2 and 3 Vict., ch. 54.

⁵ 36 and 37 Vict., ch. 12.

⁶ Simpson, Law of Infants (1875), p. 137.

⁷ Simpson, Law of Infants (1875), p. 139.

⁸ Schouler, Dom. Rel., pp. 338-9.

⁹ Kent Com., § 205, and cases cited.

¹⁰ Dom. Rel., p. 342.

welfare of the children paramount to the claims of either party. And judicial precedents, judicial dicta and legislative enactments all lead to one and the same irresistible conclusion." So far has the care for the child's individuality grown that the same authority adds:¹ "The practice is to give the child the right to elect where he will go if he be of proper age."

And, in New York, to prevent the father's depriving his legitimate child of its mother's care and custody after his death, the consent of the mother is required to an appointment of testamentary guardians.² To this point has the recognition of the child's welfare grown in the time since Blackstone; and incidentally has grown with it this recognition of the child's need of legal power in the mother, making a change very marked since the dictum of Blackstone that the "mother, as such, is entitled to no power, but only to reverence and respect."³

Great, however, as is the change in provision for the custody of the legitimate child within the family, its effects, in changing the actual circumstances of children, are probably far less than the effects of the growth of provision for custody of children outside of the legal family.

Care for the welfare of the child in legislation governing the custody of illegitimate children has grown perhaps in equal proportion. In the Commentaries no provision whatsoever is made for this matter of vital importance to the child except the negative one that "he hath no father."⁴ In this respect the English law has changed comparatively little; for the English authority, Simpson, writing in 1875, says:⁵ "In the eye of the law the illegitimate child is *filius nullius*, and, consequently, has no legal guardians—not even the mother or putative father." But the American authority, Schouler, writing in 1870, says: "American policy is in general more favorable than that of England as to the mother's rights. In New York it is broadly ruled that the mother, as its natural guardian, is bound to maintain an illegitimate child, and that she is entitled to control it,"⁶ a provision of infinite value to the child where mother and child are victims of bigamy; and of value to it in any case as securing to it fixed, definite, legal guardianship.

The growing care for the child has changed in a most marked way its position when, unhappily thrown out of the domestic relations by

¹ Schouler, Dom. Rel., p. 342.

² N. Y. Stat., 1862, ch. 187, § 2.

³ Bl., ch. 16, § 2.

⁴ Bl., ch. XVI., § 3.

⁵ Simpson, Law of Infants, p. 126.

⁶ Schouler, Dom. Rel., p. 384.

reason of pauperism or the absence of legal guardians, it is left to the care of the public. Of this class of children Blackstone merely says that overseers of the poor were appointed in each parish "to raise competent sums for the maintenance of the poor, impotent, old, blind, and such other, being poor and not able to work"¹—terms including pauper children, without specifying anything whatsoever concerning their custody. Later, he tells us, "a board of three commissioners was appointed, empowered to issue all such rules and regulations as they think proper for the maintenance, education and apprenticing of the children of poor persons."² The custody which resulted from this law is known to readers of "Oliver Twist." Here also, as in the case of the custody of the illegitimate child, there is less change in England than is seen in our American law; for at present "pauper children, whether legitimate or not, are, under the English law, made inseparable from the mother within the years of nurture"³—*i. e.*, from birth to the age of seven.

In Massachusetts, on the contrary, whose legislation affecting pauper children is believed to be the most enlightened yet attained, it is now, by statute, illegal to permit any child to remain in any almshouse after reaching two years of age, at which time a State Primary School receives the child, or an individual home is found for it.

In the primary school the child becomes a ward of the State, and is in the legal custody of the State Board of Health, Charity and Lunacy, thus legally, as well as personally, removed from the adult pauper population.

So far as is possible the child under two years of age, also, is removed from the almshouse, being placed in the personal care of one woman, and the legal custody of the women in charge of the Massachusetts Infant Asylum.⁴

In all legal provisions for pauper children in Massachusetts, which is cited as embodying in its legislation the best expression of the modern view of the child, the effort of the State is toward making custody the means of securing the child's welfare. The law assumes that a parent unable to keep his child out of the almshouse forfeits the trust of guardianship, and the State finds a home and other

¹ 43 Eliz., ch. 2.

² 4 and 5 Wm. IV., ch. 76, § 15; continued by 3 and 4 Vict., ch. 42; 5 Vict., ch. 10, and 5 and 6 Vict., ch. 57, to July 31, 1847.

³ Schouler, Dom. Rel., p. 382.

⁴ See Mass. Gen. Acts, 1867; Incorp. Mass. Inf. Assy., and Sup. Acts, 1870 and 1880.

guardians for such children,¹ making all possible effort to supply the lost parental relation by the pseudo-parental relation of adoption. That is, the law assumes that every parent normally retains custody of his child; but the pauper parent, proving that he cannot maintain it, forfeits the trust of custody; and the impersonal custody of the almshouse being morally and physically injurious, the personal relations of home life are substituted so far as possible.² But, where the State makes this transfer of the child on these grounds, it asserts its recognition of the moral welfare of the child over the legal right of the family, and furnishes evidence of the altered position of the child destitute of property since Blackstone's day, as now the mere fact of childhood brings the young pauper under elaborate specific provisions of law made for the express purpose of securing his moral welfare.

Again, in the case of children removed from parental custody by reason of juvenile crimes and misdemeanors; according to Blackstone, under the common law the child susceptible of sentence³ of incarceration seems to have undergone the same custody as the adult, Blackstone making no mention of provision for supplying any different custody. Indeed, as late as 1823, under Sir Robert Peel's "Consolidated Jails act," legal offense was made the basis of classification without regard to age, character or conduct in prison.⁴ And Mary Carpenter wrote bitterly,⁵ "the only school provided in Great Britain by the State for her children is the jail."

In Massachusetts, on the contrary, at the present day, if a child appear before a magistrate and is liable to commitment in default of bail, agents of the State Board of Health, Charity and Lunacy have instructions to be present and offer themselves as bail,⁶ in order that this individual care may prevent the child's falling into public custody. Should the child, however, be committed, he or she goes to an industrial school under legislation which pays respect not only to the grade of offense of the minor, but to its age and sex.⁷ The

¹ 3d An. Rep. Mass. St. Bd. Health, Ch. and Lunacy.

² 3d An. Rep. Mass. Bd. Health, Ch. and Lunacy.

³ In stating limitations under which children are susceptible of capital punishment, Bl. 469, gives a good illustration of the principle that the child's life is additionally protected, since certain capital crimes cannot be punished if committed by children.

⁴ Wines, Prisons and Child-Saving Institutions.

⁵ Carpenter, Reform Schools, p. 261.

⁶ 3d An. Rep. St. Bd. of Health, Charity and Lunacy.

⁷ See Mass. General Statutes for acts of incorporation of Westborough and Lancaster schools, and the State Primary School at Monson, 1848, 1855. See, further, act of July, 1879, by which these schools are all under care of a board of five trustees, of whom two are women.

delinquent child, becoming by this commitment a ward of the State, is withdrawn from the school at the earliest possible moment and placed in an individual home¹ (under the care of a member of an auxiliary board, composed of women, if the offender be a boy under fourteen years or a girl under twenty-one); and his ever finding his way into a jail depends upon such repeated evil-doing as proves the offender adult in crime, if a child in years.²

In this provision for the custody of delinquent children, all growth has tended toward supplying to the child who has proved his natural guardian unfit to restrain him, and by being committed has forfeited his normal legal custody, such home life and personal care as shall replace, as far as possible, the lost normal relation. Leaving such children to the actual guardianship and custody of the State, as embodied in the jail, proved destructive; and present legislation in Massachusetts gives, instead, quasi-parental home life under the guardianship of a board of public officials of whom by law some must be women. Here, too, is growing care for the child's welfare, and growing recognition of his individuality with its need of individual care. Here is also the assertion by the State of its power and will to decide the home of the child, and of the superiority of the moral over the legal qualification of the home in securing the child's welfare. Such legislation is an acknowledgment that the personal relation of home life must be provided by the State for its wards as better than the impersonal custody of the jail,³ but it is indirectly a blow to the legal family; for in practice it relieves the parent or guardian from further responsibility, not attempting to reach the child through the legal domestic relations. This last mentioned, possibly undomestic, feature is, however, the sole point in which the present legislation of Massachusetts affecting children resembles the view of the delinquent child derivable from Blackstone; and the custody of delinquent children indicates perhaps better than anything else the total emergence of the child from his former legal oblivion. In view of the growth, in complex provision, of law governing the child's custody, Blackstone's discussion of custody as a parental right has become inadequate. Present legislation proceeds upon the principle that custody rests not on any parental vested right, but on the right of the child to be in the care most fit to secure his welfare, whether that of father, mother,

¹ Mass. Gen. Statutes. See act of 1880.

² See 3d An. Rep. State Bd. Health, Charity and Lunacy.

³ Proceeding of Convention of Associated Charities, Boston, 1881.

guardian or board of charity, or board of women visitors, or some adoptive parent; and nothing is more significant than the growing recognition of the child's need of and right to be in the care and custody of women.¹

Under the Commentaries the legitimate child was a chattel dependent for custody upon its owner's whim; the illegitimate child was without legal custody; the pauper child was not different from the pauper adult—childhood was swallowed up in pauperhood; the delinquent child's childhood was merged in his delinquency, and his custody upon that basis was the adult delinquent's custody.

Now, the child is a child in the eye of the law, be he legitimate or illegitimate, or pauper or delinquent, and his custody is arranged in recognition of the fact. But that is also a blow struck at the legal family, since it tends toward bridging in some measure the gulf which separates the child within normal domestic relations and the child without, not diminishing the happiness of the former but letting the latter approach it, and so diminishing in some measure the legal prestige of the child within the family.

Another right of the child which was slightly treated by Blackstone, and has grown gradually into recognition, is the right of protection. A survey of the legal provision for this relation gives further evidence that the child, as such, was slightly guarded under the common law; for, vitally essential to every child as this protection is, Blackstone discusses protection, like custody, as a purely paternal function, observing merely that a parent "may justify an assault and battery in defense of the persons of his children." Indeed, he regards protection as a "natural right, rather permitted than enjoined by any municipal laws, nature working so strongly in this respect as to need rather a check than a spur."² Since Blackstone, however, the child's welfare has demanded that this parental duty and right should be supplemented by positive legislation punishing the suppression of the fact of the child's birth,³ making child-stealing a felony, giving the father the right of action for injury to the child's person,⁴ making vaccination obligatory, insuring to the pauper child more healthful care than is given to the pauper adult, prohibiting the sale of liquor and of obscene literature to children, restricting the hours of the child worker, and incorporating societies for protecting children from cruelty, sometimes that of the parent himself. More distinctly here than in most cases

¹ Mass. Gen. Stat. 1868-82.

² Bl., § 450.

³ Geo. IV., ch. 21.

⁴ Schouler, Dom. Rel., p. 358.

the law makes two fold provision for the care of the child by arranging for upholding the father in his right of caring for his child, and for enabling other agencies to enforce his own performance of his duties as parent. Here, too, the process of generalization goes on and the legal paternal right of protecting one's chattel becomes the universal right of the child to be protected. Inherent in every child is the need of protection, and when the paternal function fails the law charters a society, giving to the orphan and the illegitimate child what substitute it can for the lost safety of the legal family.

But that also is a blow struck at the legal family, since that also helps the child outside the family.

A third right, which illustrates the growth of legal provision for the child, as such, and independent of the family, is the right to such education as shall make him an intelligent citizen.

In this country education had been acknowledged as a function of the State throughout the New England colonies a century before the Commentaries were written,¹ and the growth of legal provision for the performance of the function has been chiefly geographical, one State after another imitating New England more or less exactly according to circumstances, during two centuries and a half, the growing provision for education holding a rough proportion to the extent of suffrage.

In England, however, education was still a purely paternal function in Blackstone's time,² and the development of legal provision for education during the present century has been thoroughly organic, illustrating more strikingly than either of the functions hitherto discussed the extremely gradual recognition of the child as a being possessed of distinct and individual status independent of domestic relations.

Of education Blackstone observes:³ "The last duty of parents to their children is that of giving them an education suitable to their station in life, a duty pointed out by nature as of far the greatest importance of any. Yet the municipal laws of most countries seem to be defective on this point by not constraining the parent to bestow a proper education upon his children."

He further mentions that, in respect to one sort of education, the children of poor persons are better off than the children of the rich, since the overseers of the poor are legally bound to have them apprenticed to a trade.

Thus education was in general the prerogative of the child pos-

¹ See Lodge, *Short Hist. U. S.*, ch. 22.

² See *Bl. Parent and Child*.

³ *Bl.* § 451.

sessed of normal domestic relations and sufficient property to permit his receiving the training of one of the so-called public schools, while the pauper child received such manual training, by means of apprenticeship, as removed him at the earliest possible moment from the care and cost of the parish, and the laborer's child received nothing.

¹ Here the matter rested until 1802, when the elder Sir Robert Peel carried a bill² through Parliament "compelling masters and mistresses of cotton and woolen mills employing more than a fixed small number of spindles, to furnish apprentices instruction in reading, writing and arithmetic, or either of them, according to the abilities of the apprentice, a part of each day, within working hours, for the first four years."

This bill is most significant. In commenting upon it the Duke of Argyle says:

"It is characteristic of the slow progress of new ideas in the English mind, and of its strong instinct to adopt no measure which does not stand in some relation to preëxisting laws, that Sir Robert Peel's bill was limited strictly to the regulation of the labor of apprentices. * * * The notion was that, as apprentices were already under statutory provisions, and were subjects of a legal contract, it was permissible that their hours of labor should be regulated by positive enactment. * * * Through this narrow door the first of the Factory acts was passed. * * * If the evils of the factory system had not begun to be observable in the labor of apprentices, there is no saying how much longer those evils might have been allowed to fester without even an assertion of the right to check them."³

Of course, the assumption was that all children not apprenticed were sufficiently educated through paternal care and affection, but the reverse of this is shown by the author referred to, as follows:

"The earnings of children became an irresistible temptation to the parents. They were sent to the factory at the earliest age, and they worked during the whole hours that the machinery was kept at work."

⁴ "To meet this the act of 1819 was passed, which, being the first measure restricting the labor of unapprenticed children, was, properly

¹ 2 Geo. IV., ch. 73.

² For the futility of this act (except as a wedge,) see Jules Simon, "Ouvrier de huit ans," Rev. d. d. Mon., Dec. 1864.

³ Argyle, Reign of Law, ch. VII.

⁴ Arthur Young, Labor in Europe and America, p. 182.

speaking, the first of the Factory acts. This act and the one of 1825 remained practically dead letter for want of adequate enforcing clauses; and it was not until Lord Ashley's bill, in 1833, establishing a stringent system of government inspection, that any progress was made in mitigating the evils which the factory system developed."

Three years after Lord Ashley's bill, in 1836, another bill—not a factory act—was passed, which was almost as significant of the growing legal care for the education of the child as Sir Robert Peel's bill of 1802. Almost as slight a wedge, and quite as trivial in its immediate effects, this bill permitted gifts to be made of parts of waste lands and commons for sites for poor schools, limiting the gift to one statute half acre.¹

Such was the legal provision for education at the accession of Queen Victoria. Two wedges had been inserted, and one of them, the first Factory act, had already resulted in the extension of care for their education to factory children employed in worsted, hemp, flax, tow, linen or silk manufacture, in addition to the cotton and wool workers, first provided for.² Every legal provision for the education of the English child beyond these limited and inefficient beginnings is included in the Victoria Statutes, and hardly a year has passed without adding to their scope and efficiency. Year after year, one industry after another has been brought under the Factory acts, until all the textile and metal industries, and, after a long and bitter struggle, the brick and tile makers, are forced to supply half-time schools or furnish at the demand of the government inspector the certificate of attendance at a certified school of every child employed. So, too, the mining industries, and, last of all, the young canal drivers, are included under special provisions of these acts.

Hand in hand with this extension of the child's legal claim to education has gone the extension of legal provision for furnishing him the means of training.

Five years after Victoria's accession the Permissive act³ of 1836 was extended to permit any number of half-acre grants for separate schools, and this, in turn, is extended in 1844⁴ by provision for encouragement to the making of such schools by grants of public money provided a government inspector be admitted and in 1849⁵ the half-acre restriction is removed.

¹ 1, 6 and 7 William IV., ch. 70.

³ 6 and 7 William IV., ch. 70.

² Young, *Labor in Europe and America*.

⁴ 4 and 5 Vict., ch. 38.

⁵ 12 and 13 Vict., ch. 49.

In 1855,¹ guardians are permitted to grant relief, to enable poor persons to educate their children in any school approved by the guardians.

In 1856,² education becomes for the first time a recognized function of the State, and the Queen is empowered to appoint a vice-president of the Council of Education from the Privy Council, who shall sit and vote as a Member of Parliament in Commons.

That is to say, in 1855 the recognition of the child's right of being educated had so far grown that the pauper child could not be deprived of it, while the administration of the means of education had been transferred bodily to the State.

Subsequent legislation governing education has proceeded in the same direction, and the adoption of the principle of compulsory education was the culmination of the development of the principle of caring for the welfare of the child, as a child, which was first embodied in Lord Ashley's bill of 1832.

In a comparison of the legal provision for the education of the child in England and in America, one striking fact presents itself.³ New England in the seventeenth century was the purest democracy then on the face of the globe, and New England made the most thorough legal provision for the education of every child. In old England suffrage was restricted; and, in the absence of legal provision for education, the children educated corresponded pretty nearly to the number of families whose property secured them suffrage. After the introducing of steam, philanthropy accomplished in thirty years (1802-32) almost nothing in securing education to the one class of children with whose education philanthropy concerned itself.

On the introduction of more general suffrage followed steadily increasing legal provision for the child, until to-day the English suffrage roughly corresponds to the suffrage of New England in the seventeenth century, and the present legal provision for education in England secures a degree of universally compulsory education also roughly corresponding to the education of New England at that time.⁴

It is doubtless true that the same liberal spirit which maintains a general suffrage would naturally maintain a system of general educa-

¹ 18 and 19 Vict., ch. 34.

² 19 and 20 Vict., ch. 116.

³ See Lodge, *Short Hist. U. S.*, ch. 22.

⁴ MacMillen, August, 1876. *Eng. Factory Act and Compulsory Education.*

tion as well; but it is also true that where suffrage is general the State must make education so in self-defense.¹

It would seem, therefore, that the growth of care for the moral welfare of the child, and the removal of the duty of education from the family to the State, must receive a decided impulse from every extension of suffrage, and the foregoing comparison would seem to offer confirmation of the theory.

From a survey of the changes of status of the child as affected by custody, protection and education, it would seem that the position of the legitimate child within the family is substantially as it was in the time of Blackstone. Domestic affection sufficed then, as now, for securing these three necessities for the child within the family, and legal provision need be made only as the family itself altered, and then only in giving to the father's love and care the reënforcement of legal power in the mother as she emerged from legal nonentity. Hence the chief change in the status of the legitimate child is negative, his legal position being partially and gradually approached by the status of the illegitimate² and of the pauper child, and somewhat of the prestige and prerogative of the legitimate child is lost.

Only when the family itself sustains an injury through divorce, or pauperism, or cruelty, or the emergence of the child too early into the field of the laborer, can the strong arm of the law prove itself tender and merciful also by directly sustaining and defending the hapless children.

Inevitably, therefore, care for the welfare of the child has asserted itself chiefly in legislation touching children directly and outside the domestic relations. But in so doing it has extended many safeguards formerly wholly domestic. The relations of childhood discussed by Blackstone as domestic were the paternal rights of custody, possession of the child's earnings, and maintenance in indigent old age; with the paternal duties of maintenance, education, and protection. We have seen that the discussion of custody as a merely paternal right is wholly inadequate; the legal³ provision for the child's maintenance is revolutionized by the extended duties of the mother, and, though parental, is no longer wholly paternal. Present legislation proceeds upon the principle that every child, whether in a family or not, must be protected, and whosoever will may protect him, while

¹ See Horace Mann, *Lect. on Ed.*, Vol. I.

² Schouler, *Dom. Rel. on the Illegitimate Child*.

³ See A. J. Spencer in *Pop. Sci. Mo.*, Apr. 1881, on *Leg. Stat. Married Women*.

the once paternal duty of education has been transferred bodily to the State.

The illegitimate child's position is somewhat modified by direct legislation; but, apart from the recognition by statute of his need of and right to be in his mother's custody, and to have her responsible for his maintenance, his status improves with every growth of legislation touching children as individuals removed from the domestic relations and directly responsible to the State. As a pauper, the illegitimate is treated as the legitimate pauper child is treated; as future citizen, he is trained in the public schools, profiting by the growth of law, which removes education from the family to the State; through societies chartered by law he is restrained from overworking in the factory, and from buying intoxicating liquor and obscene literature; and he, too, profits by the municipal ordinances which recognize in the newsboy and the bootblack industrial beings whose rights demand the protection of municipal license. So far is his condition assimilated to that of the legitimate child that the statement is now true that "the chief legal disadvantage of the illegitimate child is his inability to inherit."¹

Indeed, every new law which guards all children, acting on them directly as human beings responsible to itself without the intervention of parent or guardian, by including the orphan and the illegitimate child, and improving their condition, diminishes the proportion in which the legitimate child living in normal legal relations is especially cherished, and strikes a blow at the legal family. This, statute law since Blackstone has increasingly done, guarding all children without reference to the family, diminishing paternal power, and making the child more and more nearly the ward of the State.

This² tendency it is which is characteristic of the nineteenth century legislation governing minors, and the same movement which has generalized custody, protection and education until they have ceased to be paternal duties and rights, and have become tacitly acknowledged as rights of the child without reference to the family, is evident elsewhere. Two mighty forces impelling legislation in this direction are steam, which has given to the child the novel rôle of industrial being, and enfranchisement, which has forced the State in self-preservation to compel his education as future citizen. But not these two forces

¹ See Schouler, *Dom. Rel. Illegitimate Child*.

² See British Statutes 1802-82, as illustrating this tendency better than our scattered legislation affecting children.

alone have forced the child's partial emergence from its former position in which it existed (according to the legal hypothesis) almost solely within the family, governed wholly in and through the family, to its present position in which it is in great measure subject to the direct action of legislation.

Underlying all child-governing legislation of the present century is the same impulse toward guarding unrepresented classes which has altered the status of women, made legal provision for the dependent and defective classes, ameliorated the condition of the Indian, and lifted the Negro bodily out of the unrepresented condition. This tendency has acted both directly and indirectly; directly, in altering legislation, and indirectly, in bringing the influence of women¹ to bear upon legislation affecting children. The extent of the change wrought in this way cannot, of course, be calculated; but the influence of Mary Carpenter upon penal and reformatory legislation affecting children in Great Britain is a conspicuous example of what is taking place unobserved elsewhere.

A third force which has contributed to secure the recognition of the child as an individual possessed of legal status independent of his family ties, is the growing value attached to human life and to human personality, and the attendant respect for individuality in every form. At present this does in practice so shape the law as to make individuality superior to the unity of the family. This is clearly seen in the relation of custody. When the law breaks by divorce the legal family, giving the child its choice of abode with either parent, it emphatically asserts this supremacy of the individual. When the law removes a delinquent child from the family relation into which it was born, and places it, through the working of reformatory legislation, in a home selected by the agents of the law, emphatically does it assert the precedence of the child's moral welfare over the legal unity of the family, and the precedence of the moral over the legal aspect of the home, in the eye of the law itself. This is perhaps the one dangerous force of all which have been molding infancy legislation; for the child's prime safeguard is the family, and whatsoever strikes the family wounds the child.

In the wish to state fairly this one possible harm to the child among the many improvements in his status, the assimilation of the status of the "other" child to that of the child normally placed has perhaps been exaggerated in the foregoing discussion in the effort to give due

¹ See *Life of Mary Carpenter*, by Philip Estlin Carpenter.

weight to the dangerous, as well as to the helpful, features of development of the principle in legislation of caring for every child's moral welfare. So marked, however, is the emphasis now laid by the law on the individuality of the child that one writer has said that the child's present position as "favorite of the law" is attained largely at the expense of the family, the proportion of truth diminishing constantly in the statement, "the law secures the welfare of the child by upholding parental rights and enforcing parental duties."

Nevertheless, allowing due gravity in this danger, and assuming the whole body of legislation for education and the child's welfare to have been accomplished by mere statecraft, inspired only by the wish to train quiet citizens for the State, with large, too, allowance for every dangerous tendency, the result, as it stands written in the statutes of the nineteenth century, is yet, in its far-reaching care for the fatherless and the oppressed, a noble embodiment of the tender spirit of Him who said of the helpless little child: "Of such is the kingdom of Heaven."

FLORENCE KELLEY.

WEATHER FACTORIES.

IT is curious how many myths of ancient times have been surpassed by the realities of the present age. Prometheus pilfered the fire of Jove. We have got hold of his thunder, too. Our Hesperian gardens produce freedom and diamonds, as well as gold. Our traveling Arions need not bstride a dolphin to defy the winds and the tides. The good steed Bayard would be eclipsed by the iron horse as the darts of Osiris by a minnie ball; the *ultima thule* has become a half-way station of our whaling fleet. Tethys and the Oceanides could foretell a sea-storm; we predict all sorts of weather, and begin to manufacture them.

The Ashantees are not the only people who have attempted the problem of weather generation. Centuries before the foundation of Rome the Etruscans had a temple of the Apollo Hiemalis, with a grove, where the inclemency of a backward spring was propitiated by peculiar mysteries, and Columella, the Roman Huxley, ridicules the inhabitants of a little oasis in the Province of Numidia, who tried to break

the spell of a summer drouth by flogging a serpent. What would Columella have said about a systematic attempt to improve the weather of a whole province? A few months ago (September, 1881) the St. Petersburg *Gazette* published the debates on a number of legislative amendments for the promotion of forest culture in the provinces of Kasan and Astrakan, "with a view of improving the climatic conditions of southern Russia." The Imperial Council has since sanctioned these amendments, thus following the precedence of Prussia, France and Egypt in recognizing the importance of the strangest discovery since the reappearance of the Lost Atlantis: of the fact, namely, that nations are the arbiters of their climatic vicissitudes; that the tree-destroying axe has turned thousands of garden lands into deserts, and that the greatest of all earthly evils has been caused, and may be cured, by the agency of man.

Just about three hundred years ago Bernard Galissy, the Nestor of the Huguenots, called attention to the meteorological changes in southern France, where the denudation of the mountain ranges had made the summers dryer and the winter storms more destructive by removing the natural barriers to the force of the wind and turning mountain brooks into torrents. But the full significance of these phenomena was only realized when Humboldt published his work on the climatic influence of vegetation. The culture of forest trees then became a special science; the writings of Amersford showed that their destruction had caused the irruption of the Zuyder Sea and blighted the fertility of the Azores, and, by comparing the ancient historical with the present condition of southern Europe, it was found that the same cause had produced a change which more than verified the omen of the Paradise legends. In a recent number of the "Popular Science Monthly" (January, 1882), Mr. Frederic James describes the climatic amenities of western Arizona, where the sirocco of the Colorado Desert is often accompanied by violent sand showers, which once in a few hours almost obliterated the track of the Los Angeles Railroad. If a shower of that sort were to descend on the garden regions of southern Massachusetts and continue for twelve days and twelve nights, the result would give us an idea of the contrast between the present and the former appearance of Asia Minor. The barren mountain ridges that characterize the landscapes of our Bible illustrators are as anachronistic as the siege guns in Giorgio Vasari's "Destruction of Jerusalem." Even during the last centuries of the West-Roman Empire the luxuriant fertility of western Asia must have surpassed anything

produced by a combination of natural advantages with assiduous horticulture or landscape gardening in the happiest valleys of our Atlantic seaboard; gardens and forests of fruit trees must have clothed the hills to their very summits to support the teeming population of the ten Roman provinces between the Caucasus and the Archipelago. On an area of 30,000 square miles—about the size of the State of South Carolina—Mithridates raised armies which resisted the power of Rome for twenty-two years; the six west provinces were studded with towns that could emulate the luxury of Alexandria. While their own country was yet in its prime, Syria was to the citizens of Rome what modern Italy is to the rest of Europe, the Elysium of poets and pleasure seekers. About a century after the death of Alexander the Great some mercenaries of Gaul found their way to Asia Minor, and their return to their native country created a bonanza sensation which induced sixty thousand of their countrymen to abandon their homes and fight their way across southern Europe in order to reach that lubberland of the east, where the survivors actually gained a foothold and founded the Province of Galatia. Cyrus the Great used to pass seven months of the year at Babylon, on the Euphrates, in a "region of perpetual spring," as Xenophon calls it; and Hadrian, Septimus Severus and Seleucus Nicator had their favorite country-seats in the Valley of Daphne, where even a Greek could forget his native land.

And the axe alone has blighted all but a few mountain nooks of that sea-girt Eden; the coast regions from Gaza to Trebizond resemble the shores of the Dead Sea. Nothing short of a miracle would induce the Jews to recolonize the promised land of their fathers. In Syria, in the land of *Fontes umbrosas* and meandering meadow brooks, water is now as scarce as in the Llanos Estacados. Asia Minor has become the epitome of a dying continent; her poverty and the hellish har-mattan, the fire-wind of the Arabian Desert, are now her only protection against a western invader.

Judging from the description of ancient geographers, the climate of the North African provinces must have resembled that of our Gulf States—Florida and southern Texas—for even in the third century the Cyrenaica (the modern Tripolis) had eighty Christian bishops and a population of ten or twelve millions; two hundred years later famine and drouths had reduced that number to six millions; but the reckless destruction of forests continued from century to century, though Terentius Varro had already warned his countrymen that in the *deserts* (a word which had not yet acquired its horrid literal meaning) pos-

terity would hold a destroyer of a tree nymph as guilty as a murderer. In Africa, Syria, Asia Minor, Armenia, Persia, Greece and Spain, the agricultural value of the lowlands has been reduced by more than 80 per cent.; in Italy and southern France at least one-half; on the eastern continent, a once lavishly-fertile territory of seven million square miles has been withdrawn from human use. The two Americas contain about fifteen million square miles; but, if we deduct the snow wastes of the Hudson's Bay territory, Labrador, the deserts of our own Great West, and the South American paramos and fever swamps, we must agree with Charles Laurent that the gain by the discovery of Columbus has hardly balanced the loss through the neglect of Varro's warning.

When the population of Italy had reached its maximum, the highlands of the peninsula were still clothed with splendid forests, abounding with game, honey and wild-growing berries, and the agricultural regions were blessed by a combination of the happiest climate and the richest soil, with other advantages, which make one suspect, in spite of Cæsars and *circenses*, that the noon of human prosperity has declined with the sun of the Orbs Romanus—the noon of the brightest day, at least, since it cannot be denied that the night of the Middle Ages has given way to something like a new morning.

Southern Europe is now what Africa was twelve hundred years ago—a region of fading oases and rapidly growing deserts. Southern Italy has begun to generate her own siroccos. Greece contains hardly a square mile that would be recognized by a resurrected contemporary of Xenophon. The coasts of Spain are lined with embryo deserts; in Valencia, where the Roman cavalry found their richest pastures, the traveler and his horse must now often eat a pinch of drift-sand with every breath of air. The strangest result of this metamorphosis is perhaps the change in the winter climate. The cool and clear, and occasionally ringing-cold, winter of northern Texas might give one a good idea of what that season used to be in ancient Italy. In the time of the Elder Pliny the freezing of the Tiber seems to have been a phenomenon of almost yearly occurrence. Columella speaks of frozen lakes and springs; the "snowy summit" of Mount Soracte—a hill of very moderate elevation—is mentioned by several poets, and, in the dialogues of Plato, Socrates is bantered about his ultra-heroism in the campaign against Corcyra, where he walked barefoot in the snow while his comrades were shivering in their tents. The latter-day winters of the Mediterranean coastlands are warm and wet;

snow falls only on the higher mountain ranges, and melts fast enough to fill the ravines with continuous torrents. The Emperor Julian, who passed six years in France, mentions in his "*Misopogon*," that the valley of the Seine at that time was almost entirely exempt from inundations. "*Qualis aestate, talis esse solet hyeme*," he adds, in speaking of a river whose level varies now more than thirty feet!

In Greece and Sicily the three midwinter months resemble a West Indian rainy season, and increase the sickliness of the coast swamps to such a degree that foreigners generally prefer the misery of the dog-days. Byron arrived at Missolonghi in the month of February, and died in April, after fighting the fever for six weeks. The summers are healthier, but inexorably dry; and, without irrigation and the elevated mountain ranges that always have a little moisture to spare, southern Europe would be a sort of Africa Minor. Murcia and Valencia, under the parallels of Missouri, are hotter in summer than southern Yucatan; on the Gulf of Salerno, near the ruins of Paestum, 110 degrees in the shade is nothing unusual; for the proximity of the ocean is no protection against the arts of the desert-makers; the Portuguese have managed to ruin Madeira, and the Spaniards, in a still shorter time, have ruined a considerable part of Central America and the West Indies.

Up to the end of the eighteenth century the whole world of the Caucasian races had been a coöperative factory of villainous climates; but about eighty years ago the good weather-makers began their noble work. Near Cape Breton, on the west coast of France, the drifting of the dunes had encroached upon the arable soil till the inhabitants of half a hundred hamlets had to remove their houses and rebuild them further landward, when it occurred to the proprietor of an endangered farm to protect his garden by a bulwark of rush-wattles. That stopped the sand-drifts for five or six years, during which time his vineyard and an orchard of young apple trees became the finest on the Breton coast, till a heavy sand-storm overwhelmed the bulwark and ruined his vineyard in a single week. But the orchard stood its ground; the foremost row of trees had broken the force of the wind, and the rearward rows continued to flourish till nothing but a sand hurricane could have endangered their growth.

The hint was too valuable to be neglected, and during the next ten years (1802-12) Professor Brémontier elaborated a system of tree-culture which has since enabled the coast dwellers of Europe to reclaim

about 10,000 acres per year in France, and 8,000 in Denmark, Belgium, eastern Prussia and the Tuscan Maremme. In the *Landes* of Gascony, and in the Belgian "Campine," the planting of the umbrella pine (*Pinus maritima*) has effectually arrested the advance of the dunes, and thus given the inhabitants a new lease of their land, but also a new climate; the average monthly rainfall has more than doubled in summer, and perceptibly decreased in the winter season. The improved summer weather of Bayonne, at the south end of the vast pine plantations, has made it the favorite seaside resort of southwestern France. In 1832 Mehemet Ali decided to try his luck with the *Waddies*, or sand-plains, on the coast of Egypt. Upper Egypt, Abyssinia and the slopes of Mount Caucasus were overrun by the tree agents of the autocrat; trees by ship loads and caravan loads were landed at Cairo, and distributed to the overseers of an army of Fellahs; and, according to a moderate estimate, 15,000,000¹ of fruit and forest trees were actually planted and so carefully nursed that 80 per cent. of them took root and helped to qualify the soil for further plantations. As a result, the average yearly rainfall has increased from 0.60 to 14 inches, and the summer temperature of Suez decreased from an average of 92 Fahrenheit to 86 degrees.

In North America the colonists of the Atlantic States were blessed with such a redundancy of forests that thus far the axe has not changed our climate for the worse. It has made our summers a trifle dryer and the winters considerably warmer. Very dry summers like those of 1875 and 1881 are too exceptional to establish the probability of a permanent change; but I venture the assertion that a committee of five hundred old farmers, representing the five mountain States of the southern Alleghanies, would agree with hardly a dozen dissenting voices that the temperature of the five coldest months has steadily moderated for the last forty years. Eye-witnesses in eight or nine different counties assured me, for instance, that in the first half of this century the Ocoee (or Tocoa, as they call it in Georgia) used to "freeze solid" about every other winter, while during the last fifteen years it froze only twice—in February, 1877, and January, 1881. So in West Virginia and western Pennsylvania; heavy snowstorms have become shorter and less frequent, and "cold snaps" less severe, though in the agricultural districts of the same States one often hears the complaint that the bad weather has begun to set in sooner—*i. e.*,

¹ Asbjörnsen estimates the total number at more than 20,000,000 (*Forests and their Relation to National Economy*, p. 133).

that the miracle of the Indian Summer seems not to last as long as formerly.

In the West Indies and in some of our Gulf States the clearing of the primeval forests has already gone too far. The denudation of the coast plains has produced extensive sand-barrens and their usual concomitants, sand-drifts and scorching summers. On the Pacific slope the ruralists of a prehistoric race have committed the same blunder on a larger scale, and the return of many discouraged pioneers of the Great West has scared our cotton planters into redeeming their worn-out fields, and it is evident that the experience of France has awakened our agriculturists to the climatic importance of our remaining woodlands, though the work of replanting the forests of the West appears to lag from want of systematic management.

But it seems more than probable that weather manufacture is destined before long to become the principal occupation of the human race. The children of the next century, like the Alabama cotton planters, will be obliged to reclaim their own fields. Instead of husbanding the interest of our earthly inheritance, we have devoured the principal, till the day of reckoning is now evidently near at hand. The 680,000 foreigners whom a single year has added to our population, and its average increase of four-tenths per decade, presage that a second centennial of our Independence will be celebrated by half a billion citizens of the United States; in other words, that before the end of the next century our country—prairies, mountains, and all—will be as thickly populated as Egypt under the Ptolemies or as Belgium under her present King. But, since General Hazen has proved that it would far easier to reclaim Palestine than two-thirds of our Great West, it is probable that the tide of immigration will overflow into Mexico and South America. There, too, every square mile of arable ground will be crowded before some of our boys can be called old men—*et après ?*

"We will reclaim the land of our fathers," said Mehemet Ali, when he planted his Waddies. "You will? you musht!" one might reply, with Byron's French count. To plant or not to plant will soon be an equivalent of Hamlet's alternative. The Old World was on the verge of bankruptcy when Colon and Cook effected a stay of proceedings; and if that respite is up the prodigals will be reduced to the dilemma of cultivating old fields or the talent of Dr. Tanner. A considerable plurality of European malcontents are still under the impression that the agricultural capabilities of the United States could be measured

by the total area of our territory, but the next forty years will suffice to convince them that the builders of the Casas Grandes have forestalled us in the Great West, and, after a recoil toward the neglected highlands of the Alleghanies, the westward current of the tide will bring us back to our eastern garden home; the first cycle will be completed, and the era of reconstruction will begin.

And by that time the experience of the Algerian colonists will have taught us a useful lesson. The results of their systematic horticulture have revealed the consoling fact that the work of the first successful tree planter facilitates the labor of his neighbors as well as of his successor. When a good-sized orchard has once taken root it exerts a fertilizing influence on the adjacent sand fields; even in the midst of the desert a clump of forest trees tends to propagate itself—Vishnu prevails against Shiva; and without the constant interference of the *Simia destructor*, as Lorenz Oken proposed to call the mischievous biped, the spontaneous spread of the oases would probably redeem the “Dying Continent” in two or three centuries. But the alliance of man and nature is more than a match for all the hostile powers of the elements, and, if the establishment of that alliance has once been recognized as the only practical plan of salvation, the work of redemption will proceed fast enough to meet the wants of a growing population for many centuries to come.

Asia Minor would make a good nucleus, a central weather factory for the withered fields of the five Aryan empires, and in itself the fairest prize of the redeмпtor. The tree gardeners would extend their plantations from the mountain woods downward, and, after the western highlands had once been restored to their pristine fertility, grove after grove of the ancient settlements would emerge from the sand sea like the mountain tops from the assuaging waters of the deluge. Further east the difficulties of the work would increase, but also its rewards. The Taurus and Lebanon will receive the Aryan wanderers in the home of their fathers; the river nymphs, the wood birds and wood gods will return to their ancient haunts; the terrace lands of the Mediterranean coast would offer every variety of soil and of climate, with ready-made names for every new village, and chances for classic treasure-troves in every plowed field. The first May festival under the replanted oaks of Bashan will be the birthday of a new world, the second advent of the *Juventus Mundi*. The harmony of nature recalls in the smallest things the law of the greatest, and, if the labor of a single man can redeem an old farm, the labor of millions can redeem

an old empire ; and even the twentieth century may witness the highest triumph of the Caucasian race : the restoration of their birthland in the fertility that could astonish the leaders of the Egyptian refugees, and with a climate that could lure the Italian magnates from their luxurious villas.

When Pessimism had gone out of fashion, Claude Bernard, M.D., ventured in a public lecture to profess his belief that the progress of science was destined to effect the physical regeneration of the human species. "The physical laws of God," said he "shall then be so thoroughly understood that a sensible man will think it a disgrace to be sick." Nor is it impossible that the nations of that golden age will be ashamed of a drouth, and that Macaulay's New Zealander will gather figs on the site of a former Sahara.

FELIX L. OSWALD.

LOCAL GOVERNMENT IN ENGLAND.

HOW some of the great towns of England are governed is a theme around which clusters much of historic interest, as well as of practical information, valuable in the solution of the local self-government problem at home. I regret that strict adherence to the original scope of this article—local government in England—forbids even a superficial dip into the rich history of many of the old corporations, and anything but a passing allusion to the prodigious industrial progress of those great northern cities that have made England the workshop of the world. We are tempted to linger here on the origin of old Birmingham, which once buckled and buttoned the three kingdoms, and half the world besides, whose legendary proto-Bromwychamites made nails with their fingers, and could drive them into a plank with their knuckles ; or on that of quaint Exeter, the city which Southey said "is ancient and stinks," and which consists of one

great street and many dirty lanes, the government of which was once of a two fold quality ; the corporation ruled the city, but not the close, which was under the jurisdiction of the clergy. In disturbed times the temporal power took the upper hand, and, on one occasion at least, with excellent effect. There is brown-walled Chester, with its antiquities within and industries without. Norwich, rich in churches, gardens, foliage, and at one time even in manufactories, has been famous for centuries. Warriors, philosophers, traders and manufacturers have in their time shed a lustre on this city. York, with its grand minster, its gray walls, ancient abbeys and historic gates and castle—Nottingham, built by the restless, hard-fighting and town-building son of Alfred—and a score other of these old cathedral towns, rich in all that the antiquarian loves, and indeed in all that shows the history of our ancestors—would interest us.

To leave the tranquil shades of these cities for the great centers of industrial energy, like Liverpool, Manchester, Sheffield, Leeds, Bradford, Hull and Newcastle, is like going from the cloister to the mart—from silence and past memories to the noise of tongues and of active present occurrences.

In these later studies one can go back little more than a hundred years, for at the opening of the nineteenth century Manchester was not glorying in her tall and ever-smoking chimneys, but was an "inland town of no pretensions for beauty and at some distance from the sea," and consumed but small quantities of cotton to work into fustians, vermilions and dimities. Liverpool had scarcely any of her glorious docks. The great ocean steamers which now almost daily ply between Liverpool and New York had not yet found their way to her harbor. Leeds and Bradford were not very conspicuous either for trade or for manufactures. Even London, then the only place of real importance in the kingdom, had not a tithe of the shipping and commerce which now enrich the banks of the Thames. At least, if space forbids the unfolding of these facts, the great differences existing between these communities should be borne in mind in any study of their government, as no anatomical resemblance of outward structure can assimilate the inner municipal life of quaint old cathedral cities with that of new and fashionable watering places; or that of manufacturing and mining settlements with that of market towns in the midst of agricultural neighborhoods.

Last spring I spent two months within the shadow of the Local Government Board building, trying to solve the problem of local

government in England. Through the courtesy of the Right Hon. Joseph Chamberlain, President of the Board of Trade; the Right Hon. J. G. Dodson, President of the Local Government Board; Mr. Newman Hunt, Chairman of the Public Works Loan Commission; Mr. Robert Giffen, Statistician of the Board of Trade, and Dr. William Ogle, intimately connected with the census work, I had placed at my disposal scores of Blue Books containing all the statistical records of these departments for a series of years, including the reports of commissions and various memoranda containing the law and practice on each branch of local administration in England. To still further qualify myself for this discussion, I visited about twenty of the provincial towns of the kingdom in order to ascertain how far the differences of local history, of local situation and of other local circumstances make themselves felt in the administration of borough affairs. No complete study of the subject could be made without this local knowledge, for, as Brodrick (probably the most distinguished writer from the historical point of view on local institutions in England) has shown, the distinctive characteristics of each may be scarcely visible to an official eye, but they are always deeply stamped on its social features, and often reflected in peculiarities of its municipal constitution.

Even after this somewhat extended survey of the field, and after dealing at Washington with the minor political divisions of our own country,¹ it is with many misgivings that I approach the task of preparing a paper on local government in England, as it will be extremely difficult to present in an orderly and concise manner what Mr. Goschen ten years ago called chaos, and which in truth is a muddle from beginning to end. Complications exist where there should be uniformity; districts overlap and interlace one another without order or reason. The burdens of taxation are imposed by diverse authorities; the duty of collecting is intrusted to a multitude of officials, while the administration of affairs and expenditure of the money is beyond the control of the authority imposing the burden. In short, to enlarge upon Lord Fitzmaurice's comparison, borough authorities, union authorities, highway authorities, county authorities, sanitary authorities and parochial authorities are all engaged in trying to drive their coaches through Temple Bar together, and, while they are struggling with one another in the foreground of the picture, a host of out-door paupers are descried in the distance walking past

¹ These in round numbers are 127,000.

empty school-houses and open drains, down badly-mended streets and roads toward palatial workhouses. "Meanwhile," says Lord Fitzmaurice, "England consoles itself because a numerous array of paid officials are corresponding about it at the expense of the ratepayers, and, while the shadow of the Local Government Board in London gets a little longer every day, England proudly boasts that it is the land of free institutions."

In studying the English system of local government from an economic and statistical standpoint, and for the purpose of comparing it with the system of the United States, it will not be necessary to devote much space to the historic part, which would date back to our Saxon forefathers, and is almost coëxtensive with constitutional history before the Norman conquest. For the present purpose the Reform act of 1832 must be considered the real starting point of local government in England as it now exists. This act, as regards the election of representatives in Parliament, recognized the right of many towns previously excluded, and incidentally dealt a severe, and in effect a fatal, blow at the system of restricted and privileged election by calling into existence the ten-pound franchise in boroughs, thus creating an extended constituency applicable to all purposes of representative government, national and local. At this time arose in England a just dissatisfaction with municipal institutions—a distrust of the self-elected municipal councils, whose powers were subject to no popular control, and whose acts and proceedings, being secret, were not checked by the influence of public opinion. Birmingham took the lead in the struggle attendant upon the establishment of representative government, the recognition in local affairs of the true constitutional principle, which began with the passage of the Reform act of 1832 and ended in 1851. Manchester and also Bolton were compelled to fight a long and costly battle in the law courts to maintain the right of corporate representative government, even after the passage of the Municipal Reform bill of 1835. Few Americans can realize the difficulties encountered in England by the pioneers of local government in the days when they had literally to fight for existence. The object of the Municipal Reform bill was to place the government of towns and cities really in the hands of the citizens themselves, and to make them the guardians of their own property and pecuniary interests; to give to them the right of making a selection of qualified persons to administer their affairs. Of course, it was bitterly opposed by the Tories, whose "sense of equity" was "shocked with its inter-

ference with vested rights." "To regard," said Lord Eldon, "ancient charters as so many bits of decayed parchment was a crowning iniquity." But the bill passed, and Lord Eldon is depicted by Twiss as sitting, "pale as a marble statue," seeing terrible changes gradually coming over all he had loved and venerated in corporate institutions—seeing what Americans writing at this day would call the day-break of municipal reform in Britain. Another historian of the events of 1835 ventures to inquire if the outward glories of municipal power thus departing were as dear to the troubled soul of the aged lord as their ancient charters. Even in my brief stay in England in some of the quaint old towns I have seen some wonderful manifestations of outward grandeur in the way of gowns and gold chains. But in those days, we are told, there were processions on every possible occasion of red gowns and blue, with mace-bearer and beadle. "To walk in togaed state to church," says Knight, "or to proclaim an election writ, or to open a ginger-bread fair; to be adorned with golden chains as mayor and alderman, sitting on high in their tribunals in Quarter Sessions; to look venerable, clothed in scarlet and fur, at solemn supper in open hall, like the Tudor and Stuart Kings on fair nights holding the Pie-powder Court, where the 'dustifoot' might go for justice—these were, indeed, gorgeous displays." But the Municipal Reform act was to ruthlessly sweep these ancient and modern glories away. Norwich had its "whiffers" and its "dragons" no more, and even the mayor's feast was doomed to become an inexpensive banquet, to be paid out of the mayor's own pocket, and not, as of old, by the corporation. Well might the good ex-chancellor weep as he viewed the beginning of these changes.

While these two acts marked the beginning of a new era in local government in England, and enabled the towns then growing into commercial and industrial prominence to secure something akin to self-government, they were, like most measures wrung from Parliament, reforms of the hour, only to be supplemented by others as popular clamor demanded. Roland Phillips, Esq., who has recently written an article on local taxation for the *Edinburgh Review*, compares the local self-government of England of the present day to the old country mansions which one often meets with in the country, where successive owners have added to and altered the original structure without regard to symmetry or style, each studying his own immediate requirements, and endeavoring to do that in the least inconvenient manner. So it has been here with local affairs; as new wants have to be met, fresh

burdens have been imposed, and this has been done too frequently after a hap-hazard fashion, and, as I have already indicated, in a manner inconsistent with simplicity or economy of administration. In the United States, in spite of our absurd and costly system of assessing personal property, and of the tendency to jobbery in some of the great centers of population, we have true local self-government—that is, the administration of local affairs is in the hands of the citizens if they choose to exert their influence, and it has only been when they have neglected their duties that thieves have robbed the taxpayers. Only in one State has State legislation and interference been at times a serious drawback on local administration, and even in this instance it would be difficult to say which of the two bodies—the Municipal Council or the State Legislature—were the most to be dreaded by the ratepayer. As a rule, the State has proved in the United States a wholesome check on the municipality, and recent State legislation, both constitutional and otherwise, has been in the direction of unity of administration without encroaching upon the individuality of the community.

On the other hand, I find that in England even the great reforms of the past half century have been in the direction of centralization. The creation of all sorts of boards, with the best possible intentions, no doubt, has cut up the country into what has been aptly called mere “geographical expressions”—mere slices cut out of a larger area, with boundaries of which their own inhabitants know little or nothing, possessing no corporate character or quality, embodying no distinctly marked communities, having no recognized chiefs or representatives, being, in short, only taxing, nuisance-inspecting, administrative machines. This is not true in all cases, as an examination into details of the administration of some of the principal cities shows that many of them are creditable examples of local government, and worthy of careful study by Americans; but, for all that, the tendency of the Local Government Board, of the Health act, of the Highway act, of the Public Loans Commission (which gives Government security for local loans), of the Prison act, as well as the increasing tendency to throw upon the public exchequer the cost of matters which should be locally administered, is contrary to the spirit of local self-government. “It leads,” says Mr. Phillips, “directly to that centralization which all those who wish to see local self-government improved and made more effective deplore; and the whole tendency of granting subsidies is to impair the vigor and efficiency of local government. Those who, in order to

obtain a small reduction of local rates, seek grants from the revenue, are sapping the very foundation of local government and promoting that centralization which in the long run would convert our counties into so many departments." Mr. Stansfield in a speech brought out this point very clearly. "It was to say," said that gentleman, "that the State might pay and that the localities might control. The House knew better. It knew perfectly well that, whatever party might be in power, if the State paid it would manage and control; and, if the State paid and did not manage and control, the localities would not exercise proper economy."

Having shown something of the more recent changes in local government in England, and of the general tendency at the present time, I briefly call attention to some facts in regard to the population of England and Wales, kindly furnished me by Dr. Ogle, of the Census Office. One of the worst obstacles that I encountered in my recent inquiry in relation to the wealth, debt and taxation of counties, municipalities and towns of the United States, was to find out what really constituted a municipality or corporation. After a preliminary correspondence equal in extent almost to the final inquiry itself, I found that there were 311 places (cities or towns) in which the population and houses were aggregated compactly enough to be called municipalities, though some of them, notably in the New England States, were not organized with city charters. The minimum limit of population in the classification was 7,500; maximum, New York city, with its 1,200,000 inhabitants. This, I think, may fairly be considered to represent the city population of the United States, the 311 places aggregating 11,600,768 persons. The tendency to centralization in England makes the population susceptible of a more satisfactory division than would be possible in the United States. The inhabitants of England and Wales may be divided for practical purposes into an urban and a rural population, owing to the recent division of the country into sanitary areas, some of which are styled urban and the rest rural sanitary districts. At the time of the last census there were 967 urban sanitary districts, besides the 39 districts within the jurisdiction of the Metropolitan Board of Works. The aggregate population of these districts was 17,648,354, while the population of the remaining or rural sanitary districts amounted to only 8,319,932. But, as many of these districts were too small to be considered urban, I have followed the plan adopted by Superintendent Walker in taking our census, with the following results:

<i>Urban sanitary districts, with population of</i>	<i>Number of districts.</i>	<i>Aggregate population, 1881.</i>	<i>Percentage of population of England and Wales, 1881.</i>
100,000 and upward.....	120	7,696,132	29.7
50,000 to 100,000.....	28	1,850,088	7.1
20,000 to 50,000.....	96	2,883,702	11.1
10,000 to 20,000.....	160	2,214,366	8.5
3,000 to 10,000.....	467	2,640,738	10.2
Total urban population.....	771	17,285,026	66.6
Total rural population.....	....	8,683,260	33.4
Population England and Wales.....	....	25,968,286	100.0

¹ This includes the entire district of the Metropolitan Board of Works, which is here reckoned as a single urban sanitary district.

The total area of England and Wales is about 37,000,000 acres (about the same as the State of Illinois), and of this area something over 3,000,000 acres may be said to be occupied by the urban population, and 34,000,000 acres by the population living in the small villages and country parishes or districts. As at present constituted, the county is the most important local division in England, and, indeed, this division has maintained its integrity with but little variation from the earliest times. I have before me a map of Britain in 597, and on it can be traced the familiar counties of Norfolk, Suffolk, Essex, Kent, Sussex, Surrey, Middlesex, and many others. Coming down later to a map of England at the time of the Conquest, it will be found that the eastern, southern and southwestern parts of the island had about the same county divisions at that period as they have at the present day. Of course, these counties differed then, as they differ now, in area and in population. Rutland, the smallest county, according to the recent census contains but 94,889 acres and 21,434 inhabitants, while Yorkshire contains no less than 3,882,851 acres, with 2,886,309 inhabitants, and Lancashire contains 1,207,926 acres, with 3,454,225 inhabitants. It will thus be seen that in the nature of things these counties vary greatly in their wants, as well as in their importance. The subdivisions of the county, such as the "Ridings" of Yorkshire, the "Parts" in Lincolnshire, the "Rafes" in Sussex, and the "Lathes" in Kent, represent no separate type of local government, and hence I may dismiss them to avoid confusion. The "hundreds" are no longer the second units of the county, and were ignored in mapping out the poor law unions and other administrative districts. By the way, it is not generally

known that we have "hundreds" in the State of Delaware, and indeed I found in several States of the Union nearly every form of local unit that can be found in England. I believe that in England the "hundreds," or "wapentakes," as they call them in the North, are still liable for ratings in the event of riots, but all other power has been abolished. There were also subdivisions called "peards," "liberties" and "robes," and in some parts these still survive, but it would be unprofitable to discuss them here.

One of the first duties of the Poor Law Commissioners under the act of 1834 was to divide the country into districts for the purposes of local administration. England is now divided into 647 unions, fresh ones being formed every now and then as new centers of population are created; sometimes, on the other hand, two adjacent unions are thrown together. Thirty of these are in the metropolis, each of the large old parishes forming one. The eastern counties, more especially Lincolnshire, would seem to contain unions with the largest number of parishes, rising in several cases to considerable over fifty. And Lincoln itself would head the list with 99 parishes but for one of those survivals that are so picturesque in English history, by which the city of London, probably the smallest union in actual extent, is credited with no less than 112 separate parishes. The union is also the basis of sanitary administration in rural localities, and has gradually come to be treated as the main secondary area of local government. But, after all, they are not as our townships are in New York State—integral sections or departments of the counties—and Brodrick says that their boundaries must be largely rectified to bring within the compass of single counties some two hundred unions which are now situated partly in one county and partly in another. They do not, he says, coincide with the petty sessional districts, of which there are 829, exclusive of 102 boroughs, with a separate Commission of the Peace; neither have they afforded convenient lines of demarkation for the new highway districts.

In most cases the parishes correspond exactly with townships or villages. There are now upward of 15,400 parishes in England. The parish has undergone some changes in the past half century, and, linked to the unions and highway and sanitary districts, it has entirely lost that "parochial commonality" of olden times. I have already shown that the country has also been exhaustively parceled out into urban and rural sanitary districts, and that the proportion of persons living in urban sanitary districts to those living in rural sanitary districts was,

according to the last census, 212 to 100, or something more than two to one. The powers of the rural sanitary authorities are not so great as those of the urban, but I have only space to give a general view of the subject. While part of its parochial individuality has been destroyed by the Poor Law act, the Sanitary act, and the Highway act, the recent passage of the Education act has in part reinstated the parish—"not, indeed," says Brodrick, "in the position which it occupied when it was the cradle and the nursery of English local government, but in the position which it occupied relatively to other decaying centers of local government in the evil days before the Reform act."

There are four classes of town governments in England and Wales: (a) municipal boroughs, created by royal charter and exercising powers conferred, or by the Municipal Corporation act of 1835, already mentioned; (b) local governments in towns and districts other than boroughs under the Public Health and Local Government act; (c) local governments administered by improvement commissioners; (d) drainage boards created under the provisions of the Local Government act, and constituted of representatives elected by the town councils and local boards of the districts for which they are constituted. There are about 240 municipal boroughs proper, and about 800 local board (town) districts. These boroughs vary in population from 552,425 in Liverpool to less than 5,000 in many instances. The boundaries of boroughs have not been settled upon any general principle; they divide parishes, and in eleven cases they divide counties; they are divided by unions; they are often not conterminous with the Parliamentary boroughs bearing the same name. In some cases they are not even conterminous with the urban sanitary districts bearing the same name. They have, however, been generally adopted as units by the sanitary acts and by the elementary education acts. They are usually divided, like our own cities, into wards. Such, in brief, is a bird's-eye view of local government in England. To one accustomed to the working of a system so simple and so effective as the town system of New England, or even the "compromise" system of the Western States, this great waste of labor in a system which comprises twenty-three distinct forms of local authorities in an area no greater than the single State of Illinois is indeed striking. And, what is worse, these authorities are differently constituted, having different, but often overlapping and interlacing, areas, using different periods of account, and levying separate rates

or contributions on different bases and valuations. It is impossible to give a more striking picture of the need of labor-saving in assessing and collecting taxes and of a reduction of authority than in the following remarks from a speech recently delivered by Mr. Goschen: "Let me give you my personal experience. I myself received in one year eighty-seven demand notes on an aggregate valuation of about £1,100. One parish alone sent me eight rate papers for an aggregate of 14s. 4d. The intricacies of imperial finance are simplicity itself compared with this local chaos."

The Local Government Board tries to bring about a uniformity in all cities, at least from a statistical standpoint. There is nothing in the United States in any way analogous to this board, which, by the way, like the Board of Trade of England, is a board only in name, not in practice. Its whole administrative work is performed by its president and his staff of secretaries and clerks, the necessity of any collective action being obviated by the provision in the act to the effect that "all rules, orders and regulations made by the Local Government Board shall be valid if made under the seal of the board and signed by the president or one of the ex-officio members, and countersigned by a secretary or an assistant secretary." A knowledge of the working of this board is essential to an understanding of the relations of all classes of cities to the central government. While yielding to hardly any department in real importance to the community, the Local Government Board may lack what we so often hear termed in England "the political dignity and historic traditions" attaching to other offices of the administration. Says Dr. Traill: "Certain it is, at any rate, that there is no department upon the efficient discharge of whose functions so many material interests—the comfort, the well-being, and even the lives of so large a number of individuals—depend."

In its present shape and in its present title the Local Government Board is an office of recent institution. It is little more than ten years, indeed, since it came into existence, one large branch of its extensive powers—the supervision of the vast national system of poor relief—having been up to that time vested in the now extinct Poor Law Board. The statute by which the Local Government Board was constituted recites in its preamble that it is "expedient to concentrate in one department the supervision of the laws relating to the public health, the relief of the poor, and local government," and proceeds to enact that "from and after the establishment of the Local Government

Board the Poor Law Board shall cease to exist, and all powers or duties vested in or imposed on the Poor Law Board by the several acts of Parliament relating to the relief of the poor, or vested in or imposed on one of her Majesty's principal Secretaries of State" by certain acts (enumerated in another schedule), or vested in or imposed on her Majesty's Privy Council by certain other acts (enumerated in another schedule), be transferred to and imposed upon the Local Government Board. "The department," the act continues, "shall consist of a president, to be appointed by her Majesty, and to hold office during her pleasure; and of the following ex-officio members, that it is to say, the Lord President of the Council, all the principal Secretaries of State, the Lord Privy Seal, and the Chancellor of the Exchequer." The schedules referred to enumerate seventeen acts conferring powers and imposing duties upon the Home Office, and seven acts similarly empowering and instructing the Privy Council, all which assemblage of powers and duties, together with any others created by the acts amending the statutes so enumerated, were thenceforth conferred and imposed upon the new department.

It would be literally impossible here even to enumerate the multifarious powers and duties of this department, which has charge of all the cities of England. They have been divided, for convenience, into three categories:

(1) *Initiatory*.—The Local Government Board is empowered by statute to perform of its own motion a variety of acts in various localities, without reference to the local authorities thereof, such acts being in the nature sometimes of directions or orders issued to such authorities, and sometimes of regulations or restrictions imposed over the heads of the local authorities directly upon the inhabitants of such districts themselves.

(2) *Remedial*.—The Local Government Board, in addition, or rather by way of necessary supplement to its mandatory powers over local authorities, has the power of stepping in to make good the default of such authorities by its own immediate action.

(3) *Supervisory*.—The Local Government Board exercises through its inspectors a general oversight of the proceedings of local authorities, and by thus acquainting itself with the sanitary conditions of the various districts, and with any neglect of duty on the part of these authorities, is enabled to ascertain when the necessity has arisen for the exercise of one or other of its two former functions. Further, in the case of all rural authorities, and of all urban authorities except

town councils (which, in virtue of their municipal dignity, are allowed financial independence), the Local Government Board exercises, through its appointed auditors, the same general supervision over expenditure in the matter of local sanitary administration as it does in the matter of the relief of the poor.

It will be seen that a large force of paid officers and inspectors of the empire are constantly traveling over the kingdom, examining into the government of its cities, and that these cities are compelled to make detailed annual reports to this department of the amount of rates levied, of the revenue and its sources, the expenditure and its purposes, and any and all changes or fluctuations in their debt, including a vast amount of detailed information as to dates of maturity and the rates of interest that it bears, and so on.

The annual report of the Local Government Board, of which the tenth—1880-81—has just been issued, is a large volume of 550 pages, and may be said to be divided into three parts: First, that relating to the laws for the relief of the poor, and the poor rates; second, local government and the public health; third, local taxation and valuation.

An examination of the contents of this volume shows the vast scope of the Local Government Board. It has exclusive charge of everything relating to the administration of the laws for the relief of the poor; it has charge of the lunatic and insane paupers, of vagrancy, of in and out door dispensaries, infirmaries, asylums, hospitals, pauper education, and the decision of all sorts of disputed questions relating to these matters; it has exclusive charge of the administration of the laws affecting local government and the public health; it supervises the sanitary authorities of all classes of cities and towns; it keeps an eye open for the increase of local indebtedness, and makes recommendation to the Public Works Loan Commissioners; it interests itself in regard to the extension of municipal boroughs or the alteration of local government districts; it inspects all classes of food under the Adulteration of Food act; it sees that all babies are vaccinated, inquires as to the outbreaks of infectious diseases, makes regulations as to water-fittings, rules and regulations as to tram-cars; in its returns on local taxation and valuation it shows the amount of local taxes, of non-remunerative local taxation, and of remunerative taxation, of local expenditure, of local loans, of parliamentary grants in aid of rates, of the increase of ratable property; recommends improved methods of assessment; sanctions or refuses

loans, and performs other paternal duties for communities which must, under the dull thud of this uniform law, be gradually losing their individuality and becoming merged in a great central government, the headquarters of which is London and the offices of which are permanent.

Such, in brief, is the Local Government Board, the statistics of which for 1880-81 I shall now proceed to examine. As the first of its functions is the relief of the poor, and the poor rate, I present below a table showing that, though in absolute amount the expenditure for relief has been increasing during the last four years, yet, when a comparison is made of the outlay in 1880 and 1871, measured in relation to population and ratable value, a marked diminution is shown. This is evident from the following statement:

<i>Year.</i>	<i>*Population.</i>	<i>Relief to the poor.</i>	<i>Rate per head on population.</i>	<i>Rate on ratable value.</i>
1871.....	22,712,266	\$39,433,620	\$1.69	\$0.35 $\frac{3}{4}$
1872.....	23,000,000	40,037,015	1.69 $\frac{1}{2}$	.35 $\frac{3}{4}$
1873.....	23,300,000	38,460,845	1.69 9-10	.34 $\frac{1}{3}$
1874.....	23,580,000	38,324,785	1.58 $\frac{1}{3}$	.33 $\frac{1}{3}$
1875.....	23,860,000	37,442,405	1.52 $\frac{3}{4}$	.31 $\frac{1}{2}$
1876.....	24,160,000	36,679,290	1.46 $\frac{1}{3}$	.30
1877.....	24,460,000	37,000,170	1.46 $\frac{1}{4}$	.29
1878.....	24,760,000	38,443,250	1.51 $\frac{1}{4}$	.29 $\frac{1}{4}$
1879.....	25,010,000	39,149,095	1.52 $\frac{3}{4}$	.29
1880.....	25,323,000	40,075,050	1.54 $\frac{1}{4}$	.29 $\frac{1}{4}$

* The population of 1871 is that enumerated in the census; the subsequent figures are deduced from estimates published by the Registrar-General.

The expenditure for relief has been for several years divided into six sub-heads. These are shown below, with the sums disbursed for each purpose during the year 1879-80:

1. In maintenance.....	\$8,788,745
2. Out relief.....	13,553,890
3. Maintenance of lunatics in asylums or licensed house.....	4,971,020
4. Workhouse and other loans repaid and interest.....	1,597,130
5. Salaries and rations of officers and superannuations.....	5,266,090
6. Other expenses of or immediately connected with relief.....	5,907,555
Total relief to the poor.....	*\$40,075,050

* The difference between this total and the sum of the six preceding items arises in adjusting the charges for relief to the poor in the metropolis through the common poor fund.

Undoubtedly England has an advantage over the United States in the collection of the statistics of local government. Although the census of 1880 will present many valuable facts in regard to the debts, taxation, expenses and revenue of our cities and towns, it will not furnish data that will enable us to make such comparisons as can be made from the figures collected by the Local Government Board. But

a statistical department at Washington, coöperating with the local authorities and obtaining valuable data from them, is one thing, and a local government board, having initiatory, remedial and supervisory powers over every city in the Union, is another matter altogether.

The total receipts from local taxation (including loans) for the year 1879-80, as the following summary will show, were \$269,703,755 :

TOTAL TAXATION OF ENGLAND, 1879-80.

<i>Principal sources of revenue.</i>	<i>Total receipts, including loans.</i>	<i>Local taxes</i>	<i>Treasury subventions.</i>	<i>Total expenditures.</i>
I. Rates	\$234,958,980	\$129,634,715	\$10,569,995	\$220,747,730
II. Tolls, dues and rents	32,552,545	23,391,055	13,900	28,140,110
III. Duties	2,192,230	2,189,730	.....	2,377,195
Grand total.....	\$269,703,755	\$155,215,500	\$10,583,895	\$251,265,035

The Local Government Board divides this local taxation into non-remunerative and remunerative taxation. This outlay is shown in the following table :

<i>Year.</i>	<i>Expended by local authorities for</i>		<i>Total.</i>
	<i>Non-remunerative purposes.</i>	<i>Remunerative purposes.</i>	
1870-71.....	\$77,278,270	\$72,461,880	\$149,740,150
1871-72.....	80,990,480	74,936,875	155,927,355
1872-73.....	79,936,325	83,388,450	163,324,775
1873-74.....	80,869,365	100,986,130	181,855,495
1874-75.....	78,373,480	125,158,230	203,531,710
1875-76.....	79,394,250	137,331,705	216,725,955
1876-77.....	87,696,450	154,333,125	242,029,575
1877-78.....	81,708,860	164,934,370	246,643,230
1878-79.....	87,475,310	173,404,230	260,879,540
1879-80.....	83,423,200	167,841,835	251,265,035

The non-remunerative local expenditure has risen in the course of nine years from \$77,278,270 to \$83,423,200, being an increase of \$6,144,930, or 8 per cent.; the increase on the remunerative disbursements was \$95,379,955, or 131.6 per cent.

The chief heads under which the increased expenditure for remunerative purposes will be found are school board rates and fees, urban sanitary rates, metropolitan consolidated rates, metropolitan local

management rates, highway rates and harbor dues. I have shown that the poor rate proper has diminished during the decennium. The principal items of non-remunerative local taxation are, of course, poor rates, county, rural, borough, town and metropolitan police rates.

Cities in England often obtain relief from parliamentary grants, and these fiscal aids amounted in 1880-81 to nearly \$15,000,000. The record of valuation for the past ten years in England—1870 to 1879—shows an increase from \$616,829,235 to \$789,843,615 in gross estimated rental; in ratable value from \$522,026,520 to \$668,849,375, making an increase of about \$170,000,000 in gross estimated rental and \$145,000,000 in ratable value.

One of the peculiarities of local government in England is the Public Works Loans Commission. This commission takes charge of all classes of local loans, and to it cities and towns go to obtain advances from the commissioners, the Government really going security for the payment of the principal. The unpaid balance March, 1880, and the rate of interest was as follows:

At 3 per cent. per annum.....	\$100,000
At $3\frac{1}{2}$ per cent. per annum.....	7,989,035
At $3\frac{1}{2}$ per cent. per annum.....	96,479,135
At $3\frac{3}{4}$ per cent. per annum.....	2,842,105
At 4 per cent. per annum.....	15,822,520
At $4\frac{1}{4}$ per cent. per annum.....	414,490
At 5 per cent. per annum.....	5,119,510
Total.....	\$128,766,795

The amount loaned during the last year was about \$17,500,000; but, judging from the report just issued, many of the applicants are refused, for in 1880 intending borrowers applied for not less than \$56,500,000, while the actual amount loaned was only about \$17,500,000.

The school boards of England are borrowers; there are also miscellaneous loans under the Artisans' act, the Public Health act and general acts, also by the prison authorities, by burial boards and under the Laboring Classes' Dwelling-houses act, and also for harbors. According to the most recent statements, over \$52,000,000 have been loaned to the school boards; about \$25,000,000 were sanitary loans; nearly \$7,500,000 to the present date were contracted for the artisans' and laborers' dwelling improvements.

It can hardly be said that the work of this board has been satisfactory, for, in spite of the great care—which the large amount refused to intending borrowers sufficiently shows must have been exercised—many millions of dollars have been lost. When the local authorities

find themselves utterly unable to pay, they invariably, as we would term it in America, "plead the baby act," and shoulder the indebtedness upon the Government, taking the ground that the taxpayer at large is better able to meet the loss than the community. The disadvantage of this system can be readily seen. It converts what should be self-governing communities into dependents upon imperial authorities, not only for the money to carry on their public improvements, but to cover extraordinary expenditures, and also for the management of their pauper relief, their jails, their sanitary affairs and their police force. It has undoubtedly some advantages, but it must end in crushing out all feeling of a distinctive community. It cannot be denied that many of the large cities, notably Birmingham, Manchester, Leeds, Sheffield and Liverpool, are well governed—in some senses better governed than cities of the same size in the United States. There are more men of wealth and position in these cities who have leisure and are willing to give their time for the glamour surrounding municipal functionaries, and many of them do not accept office merely for the distinction, but from an honest feeling of duty. Take, for example, the city of Birmingham. For three terms they elected the Right Hon. Joseph Chamberlain mayor, and so admirably did he conduct the affairs of the city, improving and widening its streets, completing a fine system of water-works and other improvements, that his brother, Mr. Richard Chamberlain, was unanimously elected for two terms to succeed him, illness preventing him from continuing in office a third, and possibly a fourth, term. The money is more carefully expended than in many American cities, and the debts of individual cities are not so much in proportion to their wealth as in the newer cities of the United States, and on inquiry I invariably found that large debts had been created for the purchase of real estate and widening streets and in other improvements, and that the property so purchased had become much more valuable, thus giving the city a species of assets constantly increasing in value.

ROBERT P. PORTER.

THE INTELLECTUALITY OF WOMAN.

A CONSIDERABLE number of persons, men as well as women, are calling for the mental elevation of woman. They are the agitators of what is popularly known as the "woman question." Their philosophy is founded upon the fact that woman has never had the full opportunities for intellectual culture man has had, and they ask for her the possession of those opportunities. They do not base their demand upon her being inherently his intellectual equal (although some of them hold that opinion), but they say, until she has had his opportunities, it is unfair to decry her intellect, to pronounce what she may or may not do, what she should or should not do, or to speak slightingly of her past intellectual achievements. The limit is not set to man's intellectual powers by what he has achieved, or is achieving; it is not known what greater Shakespeares or Newtons there may be in the future; so the limit may not be set to woman's intellectual powers by what she has achieved or is achieving; and especially since thus far her opportunities have been so much less than man's. The reform philosophers claim that, granting she could never equal man in intellectual work, she has, on the ground of humanity, the same right to the full exercise of her powers. They say that, from the very fact of her lack of equal opportunities in the past, no true estimate of her powers can be made from an historical point of view. They declare that, since the true relation of brain and intellect is an unexplained fact, no estimate of her intellectual possibilities can be made from a physiological standpoint. This, I think, is a fair résumé of the philosophy of the woman question.

But efforts are sometimes made, and in the name of science, to show that woman is inherently the intellectual inferior of man; that history goes to prove it; that if woman did exercise her intellectual powers equally with man it would be to the detriment of the race; that if woman's intellect became equal to man's it would bring the extinction of the race; hence that the reform philosophy is false. An article advocating these views recently appeared in the "Popular Science Monthly." But the writer of that article does not stand alone. Many of her arguments and conclusions have been offered before, and in the name of science, while the *belief* in woman's mental inferiority is older than civilization, and to it has been largely due her slow acquisition of opportunities for mental culture.

I wish to cite some of the main facts used in substantiating the arguments scientifically presented, and try to show that they often bear more heavily upon the opposite side. Afterward I shall offer some general observations upon the subject.

We are told that difference of cranial capacity increases with the development of the race, so that the male European excels the female much more than the Negro excels the Negress. That is, in races of a low degree of civilization, or in a savage state, cranial capacity is more nearly equal in male and female. This would intimate that at the start an equal capacity might have existed. That, of course, could never be stated as a fact unless the skulls of primitive men and women were discovered and identified as such; but, if it is found that as we approach the savage state the difference in cranial capacity of male and of female diminishes, it certainly points toward an equality between the first men and the first women. Now, what has made the difference between the cranial capacity of the primitive man and that of the male European of to-day? Development, it will be said. What the difference between the cranial capacity of the primitive woman and that of the European woman of to-day? Development, will be said again. But primitive men and women were nearly, if not quite, alike in cranial capacity, and the European man and woman differ in cranial capacity; what has made the difference? Will it not be said, a difference of development? Why should sex be called into the argument? Surely man is no more a man nor a woman a woman to-day than were the first man and the first woman in their day. Why should any account be made of sex when the cause of the difference between the skulls of the men and the cause of the difference between the skulls of the women is known to be development? It surely is unphilosophical, if not unscientific, to look for a different cause to produce a like effect, when the same cause is known as likely to have existed. Naturally we should look for a like cause if we are not unbiased by any theories. Consulting history, we learn that mental development has not been equal with the sexes. We learn that man has had a thousand incitements to intellectual effort until quite recently where woman has had but few.

To state a little differently: What made the difference between the cranial capacity of the primitive man and that of the European of the fifth century? Development. Yet there is a greater difference between the cranial capacity of the European of to-day and the primitive man's than between that of the European of the fifth cen-

ture and the primitive man's; what has made *this* difference? A difference of development. Yet, so far as I can learn, no account whatever is made of a difference of development on the part of men and on the part of women by those who argue woman's inferiority. Sex alone is called in. But the calling in of sex appears unwarranted when a difference of development stands in one case and could also stand in the other. If history showed that equal opportunities were present to both man and woman, equal incitements to effort afforded, then another cause could be sought. But a study that results in thus placing men and women in the same category might be pronounced superficial were not scientists credited with being the most patient and exact of investigators. Clearly further light from them is needed.

Another scientific fact quoted against us would yet serve to confirm our conclusions: The difference in the average capacity of the skulls of male and of female among modern Parisians is almost double that between the skulls of male and of female inhabitants of ancient Egypt. So far as we can learn, the women of ancient Egypt were more nearly equal with men in opportunities for intellectual acquirement; they were incited to the attainment of such intellectual culture as might be had; the Parisian women, most of all modern civilized women, are incited to live for the frivolities of life. I quote from Birch's "Ancient History of Egypt from the Monuments": "The equality of the female with the male was most marked. She always appeared as the equal of her father, brethren and husband. She participated in equal rights before the law, served in the priesthood, and even mounted the throne." From another source I learn that the men of ancient Egypt attended to domestic concerns far more than did the women. The latter had charge of buying and selling, and indeed of most affairs not of a domestic nature. The government of the State rested mostly in the hands of females. Surely this mode of life must have helped to produce a good degree of intellectual culture, and it should be taken into account in a comparison such as that being considered.

Let us consult another scientific fact: At every period of development the weight of the male brain may be said to exceed that of the female brain. The average difference in weight of male and of female brains in infancy is $3\frac{3}{8}$ ounces in favor of the male. The average difference in adult brains is $5\frac{1}{2}$ ounces in favor of the male. But has a fuller intellectual development for the male nothing to do with this increase? Should sex alone be considered? If we had not the fact of woman's receiving less intellectual culture than man, we should

naturally look for such a cause to go toward producing this difference. If we suppose two persons of about the same brain-weight in youth, one choosing a life of intellectual pursuits, the other a life of physical labor, we should naturally look for the brains to testify to this difference of occupation. Certainly the physiologist making an examination of such brains would take these occupations into account as he prepared reasons for their difference. Why, then, should not a differing degree of intellectual pursuit be taken into account, and not sex alone, when the difference between male and female brains is being considered?

Let another fact be taken: The male brain may not fall below 37 ounces without involving idiocy, while the female brain may fall to 32 ounces without such a result. These figures refer to civilized states. How low the primitive man's brain may have fallen, or that of the European of the fifth century, without idiocy being involved, we may not know; but, since their cranial capacity was smaller, the intimation is, one of them, at least—the primitive man's—may have fallen as low as 32 ounces without idiocy occurring. We are borne out in supposing this by learning that the brain-weight of the male Negro is the same as that of the female European. The brain-weight, then, of the male Negro may fall as low as 32 ounces and he probably not be an idiot. I say probably, for, so far as I can learn, no estimate of the African's necessary brain-weight in order for him not to be an idiot has been made. But, with two classes having the same average brain-weight, the point where intelligence ceases would doubtless be identical. This should certainly be taken into account where a consideration is being made of the differences between two classes not possessing the same degree of mental cultivation.

Let us consider the significance of the fact that the brain-weight of the male Negro is the same as that of the female European. If brain-weight were the most important factor, then it is clear that the intellectual achievements of the Negro and those of the female European would approximate each other. But we know that those of the latter are superior to those of the former. Surely, then, there must be something, such as a qualitative difference of brain, that must stand in a more important relation. Yet we are told by those who argue woman's intellectual inferiority that, although nothing or next to nothing is known of qualitative differences of brain, there is sufficient reason for believing that man's brain is of superior quality. Yet, then, if the male Negro has the same brain-weight as the female European,—and

being a man, a superior quality of brain—he ought to be expected, on the argument of brain-weight, not only to produce the same intellectual achievements, but, on the argument of quality, to produce superior ones. The fact is, he produces not even equal achievements. The intimation is that, if intellectual achievement depends at all upon a superior quality of brain, that must be accredited to the female.

But brain-weight appears to be insisted upon as of supreme importance. Yet with the male Negro something is wanting. Perhaps “development” may be suggested; yet it is development we have cited as accounting for the difference between male and female achievements in civilized States, and we are told that it is sex which accounts for the difference.

Before leaving this portion of the so-called scientific view, let two facts and a consideration drawn from them be made prominent: Intellectual culture increases brain-capacity. History shows that women have had less opportunities for such culture than men. In all estimates of male and female brains the two facts should go hand in hand.

A further argument adduced in favor of woman’s inferiority is, quantity of thought depends upon the amount of food eaten and the power of assimilating it. Man eats more than woman; he assimilates his food more rapidly; consequently he has more thought, and his thought is produced more quickly. He has the advantage over her, for she cannot have as much thought as he, nor can she think as quickly. This is declaring thought to be of wholly materialistic origin. It takes no account of an immaterial principle in man, belief in which has existed among men from all time, and which exists now even among many scientists. It makes the body, not a machine worked by a superior power, the mind, but a machine which generates its own motive power, the mind. No food, no thought. But there is much reason for believing that thought depends upon something else than a certain amount of food taken. We declare that a certain amount of food is required for the body to be so conditioned that the outward manifestation of thought in speech or writing may be produced. But even the outward manifestation does not always depend upon this. Thought so often goes on with little food, or even with no food, that one catching at this explanation of the problem of mind is forced back upon some other one. Vigorous thought is often the product of a sickly or emaciated body but poorly sustained by food. This is not an exceptional condition. There has been a notably large class of authors, both men and women, whose thoughts are of the

highest order, but whose bodies were seldom in any state save that of invalidism. Witness Dr. Channing and Mrs. Browning. Does this pass for nothing? Does it not rather go to show that the mind expands by use, rather than by the building up of the body? No man of sense would hesitate to call for *mens sana in corpore sano*; but there are plentiful evidences to show that the *mens sana* can exist in the unsound body. Until science clearly demonstrates otherwise, we must believe that there dwells a principle in the mind above the fluctuating conditions of the body.

We are told that, if man and woman could start equal now, he would soon gain upon her by force of his superior food-consuming powers. But, if man has always possessed this advantage over woman, it is strange that he is not further in advance of her than he is. It is strange, too, that since her opportunities have more nearly approached his she has gained somewhat upon him, as she certainly has done. The difference in their achievements to-day is not so great as it has been. Can it be that woman eats more and assimilates her food more quickly in the nineteenth century? Yet this ought to be the reason for her advancement toward him, if food is the basis of thought.

But, leaving this for a later consideration, let us turn to what is regarded as the strongest argument against woman. This relates to her functions of motherhood. About 20 per cent. of woman's energy between her twentieth and her fortieth year goes toward maintaining those functions, it is declared. If her energy at that time is directed toward mental culture, it detracts from her properly maintaining those functions—so it is urged. But why, it must be asked, should her energy be diverted from mental culture any more than from physical or any other culture? Physicians do not say that a woman in her period of maternity should let her muscles lie idle. On the contrary, a fair amount of exercise is insisted upon. We have never been led to think that woman should make a recluse of herself, and not enjoy the society of her friends, lest in social culture she detract from her power of properly maintaining those functions. Why, then, should she be deprived of mental culture? If she loses a certain per cent. of energy at that time, Nature comes to the rescue and repairs the loss. In a normal state she takes a larger amount of nourishment at such a time. One might reasonably suppose she would depend upon this larger amount of nourishment to rightly maintain those functions, rather than upon the energy withheld from the brain, or from any other direction. Of course, undue mental application, or undue

application of any sort, at such a time is unwise; but are they not unwise outside of maternity? A fair exercise of all one's powers would appear most reasonable, rather than stagnation.

And now we reach one of the vital points of the reform philosophy. Of course, this estimate of the loss of 20 per cent. of energy was obtained from the average number of births to each mother, and the average intervening time between the births. And probably no account was made of premature births, which yet would help to sustain that loss of 20 per cent. The reform philosophy insists that too large a demand is made upon maternity; that hence the loss of energy far exceeds what it should. Leaving out of consideration the injury done the children, since that is nothing to the point, it may be said that it is a principle with the reform philosophy that nothing would so help to increase woman's opportunities for mental elevation as the proper exercise of the maternal functions. Her lost opportunities have been largely because so large a per cent. of her energy has been thus devoted. The elevation of woman is called for under the plea that her maternal functions, rightfully exercised, would result in her gain, not her loss. This is the case with the right exercise of all our functions. If we use the muscles of our limbs duly, not only do we gain muscular strength, but our whole body is benefited. Is it not so with the use of all our powers? One might think, by the opposing argument, that maternity was not a natural function, but something likely to sap out the life of the individual sustaining it unless every faculty, every power, were subordinated to it. It would regard the mother as little else than a physical machine for the bearing and bodily nourishing of her young. She would hardly deserve the name of *mother*. Perhaps female mammal would be the best name for this scientific being.

Even in functions not strictly natural men are gainers, not losers, through their right exercise. It is natural for a poet to think poems, but to put them in polished shape upon paper requires the artificial. Yet if the poet thus produces a poem, and he has made no undue strain upon his powers, he is the better fitted for his next achievement. He is a gainer. The birth of each of her children would result in a gain to the mother, physically and in every way, were her maternal functions not unduly exercised.

Physicians tell us that the average woman should bear no more than five children. Every birth after the fifth is attended with increasing danger to her life. They say that two years at least should occur

between each two births. The time will probably come when this number will be reduced and the intervening time lengthened. It is already evident that a higher civilization will not demand of woman the exercise of maternity to such an extent as has been demanded in the past or is demanded in the present. Not only she, but the race, will gain. How much less energy would be lost if but a fitting number of births occurred, and the intervening time between the births were proportioned according to the mother's strength. The estimate of lost energy quoted is, therefore, but a fluctuating standard, or rather it is no standard at all.

And again, why need it be declared that this energy, *if lost*, is lost to the brain? Why may not the mother lose muscular energy or energy of some other sort? This also appears to be an arbitrary statement. Prove that women are less intellectual between twenty and forty years of age than between forty and sixty years of age, and some reason will appear in the assertion that the energy given to maternity is lost to the brain.

Besides, in this reckoning no account is made of a corresponding loss to the other parent. At the time when men become fathers they are not considered as losing so much energy that they are unfitted for intellectual achievement; nor are they warned that if they devote themselves to intellectual culture they will detract from their own well-being and that of their offspring. On the contrary, it is pronounced that the physical basis for intellectual energy is most abundant in these years. Yet who will question the fact that the father devotes as much energy in obtaining the means for the material support of his children as the mother gives in another way?

But, suppose we grant that the mother loses a large per cent. of energy not made up to her in the period of maternity, still the question arises, Whence the difference between the immature girl and the mother? There would appear to be even an intellectual gain in the latter. Whence comes it? According to the opposing argument the mother, properly maintaining her functions, thinks less than the immature girl, which amounts to saying she *is* less. We see the opposite. Even in women who do not strive for culture we see with the dawn of motherhood the womanly character deepen. Often for the first time the woman thinks largely and nobly of life. Does not this growth of character depend at all upon the intellect? Is not this character of an intellectual type? Or is character of this kind wholly ruled out of the scientific method?

It is declared that injury will result to the race as culture increases among the mothers. This appears to be a most remarkable statement. The distinctive difference between man and the brute is the capacity for culture. Under any consideration can we come to see that he should desist from exercising that faculty? Why, man is best a man *as* he exercises that faculty. Tennyson admonishes:

“ Move upward, working out the beast,
And let the ape and tiger die.”

But through culture alone can this be done. Yet we are told that one-half of mankind—*i. e.*, the women—are lessening the chances of their offspring when striving to advance in culture. The conclusion is drawn from the former argument that by direction of energy to the brain a loss accrues to maternity. But we have seen, from what appears a reasonable standpoint, that under proper conditions of life no loss would result by such direction. Certainly, to one's common sense view of it, advice to either woman or man to neglect the cultivation of the highest faculties given them appears absurd. But women are advised to trust to the slow and easy method of heredity for intellectual tendencies. Now, intellectual tendencies presuppose the desire to pursue intellectual courses. Wherefore the use of having them if they are to remain undirected? If one has a tendency to follow art, what good would it do him, if, for whatever reason, he were prevented from pursuing art? Would not the tendency be a source of misery to him? He were far better without it. So if women, through heredity or any other method, are given intellectual tendencies, these would be a source of misery to them if they are to remain undirected. Better be in such a case a female mammal of a lower genus than that of man.

Again, women are warned against the slow processes of application as too great a tax upon their energy. This is like telling them that, although they have the ability to see, they should use their eyes but little, lest they detract from the well-being of those who come after. For women, in common with men, have the ability for mental application unless it has been averted, and it seems as absurd to say this natural possession should be disregarded as that seeing or any other natural possession should be. I feel sure that the advocates of this theory, could they be given the choice of having been born of cultured or of uncultured mothers, would choose the former. Common sense would here decide despite their scientific theories. Here a notable

fact may be mentioned. A large majority of men of genius and talent are credited with having had mothers of cultivated minds. The fact appears through all the stages of intellectual superiority, from a Goethe, the flower of German literature, to the humblest poet who obtains but a local fame.

It is further declared from this scientific standpoint that, if intellectual equality existed between the sexes, it would result in the extinction of mankind. It would certainly seem as if the doom of the race depended upon something more evil in its nature than the intellectual cultivation of woman. That which appears most to threaten mankind is vice and depravity, leading to diseased physical systems. There is no more powerful agent to work against vice and depravity than intellectual culture. The more our women are cultivated, the more liable are they to lead pure lives. The more they are cultivated, the less liable are they to marry vicious men, and thus entail upon the world diseased and depraved offspring. For the sake of virtue, we must ask for woman's culture.

But these foreboders seem to forget that, even in case a possibility of extinction threatened mankind through equal intellectual culture, there would always be the varying possession in individuals, and the law of the attraction of opposites would doubtless hold them, as now—that is, the most intellectual man would seek the less intellectual woman for his mate, and the less intellectual man seek the more intellectual woman. Thus the doom of the race would be averted.

With this more favorable outlook, let us turn our attention to some general observations.

How did it come about that man and woman from the beginning did not have opportunities in common? We have seen that undue demands were made upon her as a mother, constituting one great deprivation. What other deprivation existed? We are told by those who have made a study of primitive conditions of life that in these earliest days of the race man considered physical strength as of paramount value. It was his greatest need, not only in subduing nature, but in protecting himself from wild beasts and the inroads of his even more savage neighbor. Physical strength was indeed his all in all. Without an abundance of it he could not long support life. So he came to set the highest value upon it; to consider it alone as worthy of supreme respect. The strongest man in the tribe was regarded as the greatest man; the warriors were the first men. We see this to-day among savage nations. Of course, the

primitive man considered the weaker members of the tribe, the women, as inferior. So he placed upon the woman inferior offices. She became the slave, the drudge, of the man. There was no lack of power to enforce such offices. So, from generation onward to generation, she toiled, little amelioration being offered to her condition. We see among the women-peasantry of some countries to-day something of the privations and burdens once borne by all women. If ever there was a tribe distinguished by particularly strong women, men held more respect for them; in ancient legends of some races their prowess was recorded; hence we receive an idea of how such stories as those of the Amazons have come down to us.

The inferior position first given woman, and so easily perpetuated, accounts for her lack of opportunities for improvement in the earlier generations. The idea that she was man's inferior would not soon be eradicated. Nothing holds so strongly with man as an idea handed down from the past. To-day we cling to ideas having no other merit than that they embody the wisdom of our forefathers. Often nothing short of a moral earthquake will serve to eradicate them. And such earthquakes do not visit humanity as frequently as another kind visits the earth. The idea of woman's inferiority having taken firm root-hold in man's mind, it would be long before another and truer idea displaced it. Nor indeed would this happen until he had advanced to such a state of enlightenment that he could see that her subjugation was retarding his progress, or until he felt the first promptings of philanthropy leading him to mitigate the hardships of those beneath him. Thus, bound to an inferior position, and subject to such demands as he chose to make upon her as his companion, woman's development advanced more slowly. Is it strange that we have little record of her intellectual achievement in any country until in such country she was admitted to share in some degree man's opportunities for culture? I think that if an equal lack of intellectual development with that which woman shows were exhibited by any class of men, however naturally endowed, living and laboring under such disadvantages, no other cause than those disadvantages would be assigned for that lack.

Yet one word should be said of woman's unrecognized powers in the past. I do not think the world has realized until lately what she may have been and may have done unrecorded, except as it lives in the history of man's exploits. Let me illustrate: There was a certain clergyman who had a wife. He seemed a man of ordinary parts, yet his sermons were of so high an order that he gained an enviable repu-

tation for talent far outside the parish in which he labored. His wife died. He never wrote a brilliant sermon afterward. But this was not from the effect of grief. He married a year after; therefore grief may not be said to have been his undoing. He lost fame in his parish, was dismissed, and, failing to secure an appointment elsewhere, he went abroad at last as a missionary.

Nothing to me is more interesting than to read in the biographies of great men the fragmentary accounts of the women who have been their nearest associates. The references to mother, wife, sister, or friend, spoken of by the biographer as having had an influence over some genius, are most suggestive, and I find myself wondering, if some of these had had a separate career, what might have been the result. Possibly George Eliot and the few other great women the world knows would not stand alone upon their heights. The history of the past is written. It can never be rewritten. We can never know how much of womanly thought and power has been merged into masculine achievement. We must be contented to say that the world is beginning to think woman was not so wholly an insignificant being in the past as once supposed. Her power was appropriated, but some power she had, despite the disadvantages under which she labored. Probably the prevailing feeling that it was unwomanly to possess great intellectual power accounts for much of this appropriation in the more advanced ages. Men desired to shield their female friends from the charge of unwomanliness!

We are gaining courage to speak of woman's past in view of what she is doing now. She cannot suddenly have been given an intellect in these later centuries. Perhaps some thinkers wish that she had been so recently endowed; it would furnish data for working out that puzzling problem, how the human intellect came into the world. During the last fifty years, in English-speaking countries at least, woman has been given opportunities for mental development never possessed before. Is there not a less disparity between the achievements of men and those of women in these years than heretofore? Contrast them with the fifty years preceding. I learn that in the United States in the year 1881 eighty mechanical inventions were patented to women. How many were patented to them in 1831? Woman is gaining on man in intellectual achievement, and while every avenue for knowledge, for work, is opening to her, she will continue to gain. She is too eager in the possession of her new field to lose any advantage. And they reckon without a full consideration of what she is

doing now, and of her approach to his achievement, who declare she will always be a lesser power intellectually.

But, leaving what seems so plainly evident, let it be asked, why is it that woman feels the statement of her intellectual inferiority as so obnoxious? Her brother's superior size, strength, address, even many of his achievements, she views with equanimity; why does she object to being called inferior in intellect? Simply because she feels that this touches the real self-hood of the individual. All else is transitory, the possession of time, and therefore of only relative value. But in the mind, the soul, rests the real value. Here we have the germ of infinite progression; set in limits, it is made other than it is; it is made, indeed, but another of the possessions of a short human life. We consider that this must be wrong. Our very religion cries out against it; our religion, founded upon an immaterial principle in man, teaching endless progression, declares against the setting of such limits. This immaterial principle in man explains much that is otherwise unexplainable. It cannot be proved not to exist, while that vast array of personal experiences stamped upon all history, and accumulating with every passing year, goes toward the verifying of this principle, and it is not to be ignored. The non-existence of this principle shows nothing equaling this in importance.

We have earnestly considered the physiological argument as if its refutation were required to demonstrate woman's equality; but we believe that her equality rests upon another consideration. While man lives woman must be his companion. It is her destiny, in common with his, to progress. Having an immortal mind like his, and appointed to inhabit the earth while he inhabits it, she must, from the very possession of that mind, from the very necessity of progress, reach the same level that he reaches, and continue with him in an onward progression, the survival of the fittest.

Certainly, in order for the physiological argument to prevail, one opinion must be established as a fact. This is that the brain is a thinking machine, not a machine in which thought is manifested. Science has not yet become possessed of such a fact. Some scientists may hold such a theory; many who are not scientists believe it. It is but another way of stating that the soul of man is material. Curiously enough, then, we come to learn that the argument against woman's intellectual equality with man depends mainly upon a materialistic doctrine. But this doctrine is difficult to substantiate. And all the experiments of French and German scientists with dead brains can

hardly formulate complete laws for our living ones. Experiments with the living brains of animals can hardly lead to the discovery of the complete laws governing our human ones—unless we differ in belief from a certain physician.

This physician had a dyspeptic lady patient. She said to him one day: "Doctor, don't you think I would be less troubled with indigestion if I rested a while after my meals?" "No indeed, madam; light exercise aids digestion; why do you ask?" "The cows always rest after eating." "Madam, we are not cows." Since we are not dogs or sheep, the laws governing their brains cannot fully be applied to ours.

Further, in favor of the brain's being a machine in which thought acts, we have man's established conviction that he is of a nature apart from the body in which he dwells. Many noted scientists make an account of that. But the chief point to be emphasized is, that at the base of the physiological argument is a theory with not so much to verify it as there is to verify the opposite theory. Hence to draw a final conclusion from it would be unfair.

Mr. Darwin's development theory still is set down as a theory. It would be fairest to set down the physiological argument as based upon a theory, instead of coupling it directly with science. The scientific method is that of induction—from facts to draw conclusions, results. Here we have inferences, results, based upon a theory. Clearly not the scientific method.

When woman has had equal opportunities with man—equal incitements to achievement—for a period sufficient to give a fair exhibit of her powers, and shall have failed, then will be time enough to lay before her disheartening propositions. Our sex has much for which to be thankful to science. Not only has woman's ordinary work been made lighter and easier through science, but man has learned with certainty what he before dimly began to see, that by keeping her in subjection he retards his own progress. Let, then, no disparagement come to us in the name of Science. Let that light still continue to illumine us. Let the shadows be cast from other quarters.

AN URGENT LEGISLATIVE DUTY.

THE amount of land withdrawn from settlement and subjected to the claims of States and corporations for railroad purposes was some time ago stated by the Auditor of Railroad Accounts, in the Department of the Interior, to exceed 200,000,000 acres. A better idea of the magnitude of this area will be formed if we state that it is about equal to that of the thirteen original States of this Union. Comparing it with countries on the other side the Atlantic, we find that it is rather more than equal to the united areas of Great Britain, Belgium and the German Empire, in which 80,000,000 human beings find room to subsist and to carry on the multitudinous operations of civilized life.

Some twelve years ago public condemnation of the land-grant policy began to make itself very plainly heard, and within a short time had grown so loud and emphatic as to prevent the making of any further grants. It may indeed be fairly said that the people expressed their disapproval as soon as they learned what was going on, for the larger grants, which make up the bulk of the granted lands, had all been made within a period of six or eight years. The Pacific Railroad acts of 1862 and 1864, passed, as they were, while all thoughts and interests centered on the great struggle then in progress, attracted at the time but little attention. The project to connect the Atlantic and Pacific coasts by rail met with a natural and deserved approval, and it was not until several years later that the prodigality of the means adopted to secure that desirable end became generally understood. When once it *was* understood, the expression of popular disapproval and indignation was prompt and unmistakable. It was also effective, for grants estimated to cover a total of 400,000,000 acres of public land—many of which had already been passed by the Senate, while others were embraced in bills that had been introduced into one house or the other—were no more heard of.

In view of the public feeling then manifested, it might have been supposed that any opportunity to correct the errors of past legislation by enforcing the forfeiture of grants not earned according to the prescribed conditions would have been promptly improved by Congress, though, of course, with due regard to any equitable claims of the grantees. As a matter of fact, however, Congress has been very slow to take action in the matter. Two years ago last January the Senate

adopted a resolution calling upon the Secretary of the Interior for information as to the grants of land remaining incomplete by reason of the failure of the railroad companies to be benefited by them to comply with the conditions thereto attached. A reply to this and other questions embraced in the resolution was prepared in the General Land Office, and on the 18th of February, 1880, was transmitted to the Senate. This document specified the delinquent roads, and gave the date of the expiration of each grant, the estimated quantity of land granted, the length of road constructed in each case, and other information. From this statement it appeared that the aggregate amount of land embraced in the expired grants was very near 100,000,000 acres, or about one-half of the total area withdrawn from settlement for the benefit of railroads. A numerical majority of the grants have been made to States, to be used in assisting railroad companies in the construction of roads, but by far the greater part of the land granted was embraced in grants made directly to the corporations interested. Of the latter there were delinquent at the time of the return in question the Northern Pacific, the Atlantic & Pacific, the Southern Pacific and the Oregon Central Railroad companies. The information then furnished to the Senate has been available to Congress for more than two years past, but no positive action has been taken either to enforce the forfeiture of grants which have not been earned in accordance with the prescribed conditions or to ascertain definitely to what extent an enforcement would be equitable and expedient.¹

On the 29th of March, 1882, a resolution of the House of Representatives calling for information on this subject was answered by the Secretary of the Interior in a somewhat voluminous document, from which it appears that a considerable number of companies, including

¹ Since this article was written the House of Representatives has referred to the Judiciary Committee several bills in relation to lapsed land grants, and, as regards the grant to the Northern Pacific Railroad, a majority report and two minority reports have been submitted. The majority, comprising eight of the fifteen members of the committee, hold that under the terms of the granting act the land grant is not subject to forfeiture; that Congress, under a power reserved in Section 9, may do any and all acts that may be necessary to insure a speedy completion of the road, but that its speedy completion is assured without legislation by Congress, and, accordingly, that no legislation is desirable. A minority of seven, in a report discussing the legal power of Congress in the premises, without considering the expediency of its exercise, hold that the land grant is subject to forfeiture for the violation by the grantee of the annexed conditions; while a minority of six—Messrs. Knott, Culberson, Townshend, Payson, Hammond and Manning—recommend that all lands embraced in the grant which were not patented to the company on the first day of July, 1882, be declared "forfeited to the United States by reason of a breach of the conditions upon which said grant was made."

three of those to which grants were given directly, have become delinquent since the return of February 18, 1880, was made. Of the delinquent companies receiving their grants through States there are thirty-two, the grants ranging in size from 140,000 to 2,000,000 acres, and embracing in the aggregate an estimated area of 21,292,349 acres, of which 10,902,106 acres have been patented to the companies. The aggregate length of the roads which these thirty-two companies were to have built was 4,312 miles, and the number of miles they had built within the time fixed for the completion of their roads was 1,665, or somewhat less than two-fifths of the length proposed.

The companies to which grants were made directly, with the estimated amounts of their respective grants, and the dates when their grants expired, are as follows:

	<i>Estimated number acres granted.</i>	<i>Grant expired.</i>
Northern Pacific	48,215,040	July 4, 1879
California & Oregon (now Oregon Branch of the Central Pacific)	2,126,526.78	July 1, 1880
Oregon Central (now Oregon & California)	3,701,760	July 1, 1880
Atlantic & Pacific	40,690,560	July 4, 1878
Southern Pacific of California	5,511,264.26	July 4, 1878
Oregon Central	1,130,880	May 4, 1876
New Orleans, Baton Rouge & Vicksburg (now New Orleans Pacific Railway Co)	903,218.61	Mar. 3, 1876

It will be seen that the total number of acres estimated to be embraced in these seven land grants is 102,279,249.65. The Texas Pacific Railroad Company (now Texas & Pacific) was not delinquent when the return in question was submitted to the House, but the time allowed for the completion of its road lacked less than two months of being expired, and, as it had made little progress with its work, it was reported along with the delinquent companies. Its land grant is estimated at 14,309,760 acres. Including the last-named grant the estimated areas of the grants of all the delinquent corporations amount to a total of 116,589,009.65 acres. The length of their proposed roads aggregates 7,756 miles, of which 1,465 miles, or a little less than one-fifth, was completed at the time fixed for the completion of the entire roads.

Taking both classes of grants together, the amount of land embraced in them, as obtained by footing up the estimates made for the different roads, is 137,881,358 acres, an area exceeding that of the German Empire by about 3,000,000 acres. Some deductions should, however, be made on account of land lost to the railroad grants by reservations and settlements within their limits, and in other ways. It is also to be

remembered that some of the grants must comprise a large amount of arid land. The Texas Pacific is probably the worst off in this respect, as about two-thirds of its land grant lies in Arizona, the most arid of our western Territories. On the other hand, the grant to the Northern Pacific Railroad, which is the largest of all the grants, extends through Territories containing some of the finest wheat lands on the continent; and, although it comprises a considerable amount of mountain and a portion of the *mauvaises terres*, or Bad Lands, of Dakota, it is, on the whole, a grant of immense agricultural value.

The total length of the railroads to be built with the aid extended in these grants was 12,068 miles, and the amount actually built by the dates at which the roads should severally have been completed was 3,130 miles, or a very little over one-fourth of what should have been done to entitle the roads to the full amounts granted them. The amounts earned by construction within the time allowed by the granting acts for the completion of the several roads would be amply provided for by 35,000,000 acres, leaving 100,000,000 acres to revert to the Government if forfeitures should be strictly enforced. It has, however, been held by the General Land Office that several of the largest grants, along with some smaller ones, are not subject to forfeiture. These are grants made directly to corporations, with no express provision in the granting acts that they shall revert to the Government in case of a failure on the part of the companies interested to comply with the requirements of the law. In this class are included the grants to the Northern Pacific, the Atlantic & Pacific, the Southern Pacific of California, and the Texas Pacific Railroad companies, amounting in the aggregate to 108,726,624 acres, according to the estimates furnished in the document from which our figures are taken. When these grants expired the amounts of road constructed were as follows: By the Northern Pacific, 531 miles, out of a total of 2,270; by the Atlantic & Pacific, 125 miles, out of a total of 2,426; by the Southern Pacific, 232 miles, out of a total of 512; by the Texas Pacific, 181 miles, out of a total of 1,483. According to the foregoing table, the date at which the Northern Pacific Railroad was required to be completed was July 4, 1879; but that date was fixed by a decision of Secretary Schurz, and there seems to be room for doubt as to its correctness. The granting act required the road to be completed by July 4, 1876. A joint resolution approved May 7, 1866, extended for two years "the time for commencing and completing the Northern Pacific Railroad and all its several sections."

This required its completion by July 4, 1878; but a later joint resolution (July 1, 1868) provided that the company should "construct, equip, furnish and complete the whole road by the fourth day of July, *Anno Domini*, eighteen hundred and seventy-seven," and this is the last legislation bearing upon that point. The Atlantic & Pacific and the Southern Pacific railroads were required by law to be completed by July 4, 1878. To these two, however, and also to the Northern Pacific, there was allowed by law what may be called a year of grace after the dates specified for the completion of their roads, the grants being in each case made and accepted upon the further conditions "that, if the said company make any breach of the conditions hereof and allow the same to continue for upward of one year, then, in such case, at any time hereafter, the United States, by its Congress, may do any and all acts and things which may be needful and necessary to insure a speedy completion of the said road." In the case of the Texas Pacific (now called the Texas & Pacific) it is provided that, "upon a failure of the company to complete its road within the time prescribed (ten years from May 2, 1872), Congress may adopt such measures as it may deem necessary and proper to secure its speedy completion." This company has earned no lands. It has built, as we have already said, 181 miles of road, out of a total of 1,483; but the part built lies wholly within the State of Texas, in which it has no Government land grant. The road proposed by this company has been rendered entirely unnecessary by the construction of the Southern Pacific along its proposed route, and Congress should lose no time in declaring the forfeiture of its grant and reopening the land to settlement. The grant has been proved to be unnecessary by the fact that the Southern Pacific Railroad Company has built its road without one; but a contract has been made between the last-named company and the Texas & Pacific, by which each party pledges itself not to construct a line beyond El Paso to compete with the line built to that point by the other, and by which the Texas & Pacific Company agrees to resign its land grant to the Southern Pacific, probably with the understanding that it shall receive from the latter a share in the proceeds of the grant. It cannot be reasonably contended, however, that Congress is under obligations to give the land to a company that has not fulfilled the conditions on which it was promised, and this when the proposed road is no longer needed; or, on the other hand, to give it to a company to which it was never promised. No sort of legal technicality that can be pleaded on behalf of either of these companies

will be of much weight as against the plain equity, common sense and public policy that unite in demanding a resumption of the grant by the Government.

The position taken by the Northern Pacific Railroad Company in respect to its grant is indicated by a letter from Mr. George Gray, one of its attorneys, that has been published in the *New York Times*, and printed in pamphlet form for distribution among members of Congress and others; and, as the conditions attached to this grant (except as to the date fixed for the completion of the road) were identical with those attached to the grants of the Atlantic & Pacific Railroad Company and the Southern Pacific Railroad Company of California, whatever is said as to the legal status of either of these grants will, under like circumstances, apply to the other two.

In the letter above referred to, Mr. Gray contends, on behalf of the Northern Pacific Railroad Company, that the grant to that corporation was an absolute grant *in præsentî*; that the conditions annexed to it were conditions subsequent, and not conditions precedent, to the acquisition of title to the granted lands; that, "notwithstanding a failure to perform the conditions within the time specified, the title to the lands remains unimpaired in the grantee unless Congress sees fit to enforce a forfeiture on that ground;" and, finally, that Congress is estopped from doing this by "a clear declaration" in the granting act "that the lands granted are absolutely appropriated to the completion of the road."

We might show that the citations made by Mr. Gray in favor of the theory that the grant to the Northern Pacific is a grant *in præsentî* do not sustain his conclusion; but, letting that pass, and granting that there *is* authority for the claim that the Supreme Court has so decided, such a decision need not prevent us from considering the question on its merits.

A grant *in præsentî* (or present grant) may be defined as one which at the time it is made conveys to the grantee the title to the thing granted. If the grant to the Northern Pacific Railroad Company and the other grants made upon like conditions were of this character, why was it necessary to provide for a subsequent conveyance of the granted lands by patent? Section 4 of the Northern Pacific Railroad act provides that, whenever the company shall have twenty-five miles of any portion of its railroad and telegraph line ready for the service contemplated, the President of the United States shall appoint three commissioners to examine the same; "and if it shall appear that twenty-five

consecutive miles of said road and telegraph line have been completed in a good, substantial, workmanlike manner, as in all other respects required by this act, the commissioners shall so report to the President of the United States, and patents * * * shall be issued to said company, confirming to said company the right and title to said lands situated opposite to and coterminous with said completed section of said road. And from time to time, whenever twenty-five additional consecutive miles shall have been constructed, completed and in readiness as aforesaid, and verified by said commissioners to the President of the United States, then patents shall be issued to said company *conveying* the additional sections of land as aforesaid, and so on, as fast as every twenty-five miles of said road is completed as aforesaid."

It is contended by Mr. Gray that the issue of patents was provided for merely "for convenience in the Land Office, and as a matter of record evidence." The company's title, he claims, "does not depend on and is not conveyed" by the patent; but, if this is the case, why should the performance of conditions as regards each portion of road be made an essential preliminary to the issue of a patent for the corresponding lands? If Congress intended the patents as a matter of "convenience" and "of record evidence," it is fair to suppose that it intended the record to correspond with the fact; and if the fact was such as Mr. Gray contends—that is, if the title to all the land embraced in the grant was vested in the company by the granting act, independent of the performance of conditions—the way to make the patents furnish "record evidence" *to that effect* would have been to provide that they should be issued as soon as practicable after the act was passed—say, for example, as soon as the definite location of the line of the road rendered it possible to identify the granted lands. If the patents were not intended as a conveyance of title, the withholding of them until the lands to be patented had been earned by the construction of a corresponding portion of the road was not merely an empty formality, but a misleading one. In short, it would seem either that Congress inserted in the act a provision calculated to produce an effect the reverse of the one intended, or else that the intention was different from what Mr. Gray claims it to have been. Moreover, the claim that title was conveyed by the granting act independent of the issue of patents conflicts with the express provision of the statute that patents shall be issued "conveying" the land to the company. It is true that in one part of Section 4 the

word "confirming" is used, instead of "conveying," but it is manifestly used in a legal signification equivalent to that of the latter word. It is, moreover, applied only to the lands situated opposite to and coterminous with the twenty-five miles of road first completed—that is, to less than one-eightieth part of the entire grant, the word "conveying" being distinctly applied to all the other portions—*i. e.*, to more than seventy-nine-eightieths of the whole. If the patents issued upon the completion of successive portions of the road are to "convey" the corresponding portions of land from the United States to the company, it would seem a natural inference that up to the time of their issue the title to such portions of land must be in the United States, and not in the company; for it is not possible to take a thing up *where it is not* and "convey" it *to where it already is*. Yet, if we accept the doctrine that the grant to the Northern Pacific Railroad Company was a grant *in præsentî*, we are forced to the conclusion that this impossible and absurd thing is precisely what Section 4 of the granting act provided for doing. And the same reasoning, of course, applies to the case of the Atlantic & Pacific and other grants similarly conditioned.

But it is of little practical importance whether these grants be regarded as present or future ones, and the discussion of that question is of interest chiefly as illustrating the tendency of the courts to encroach on the province of the legislature. We may accept it as *res adjudicata* that, whatever the intention of Congress may have been, the particular grants in question are now to be dealt with as grants *in præsentî*; but it does not by any means follow, as is claimed on behalf of the Northern Pacific Railroad Company, that they were not subject to forfeiture upon failure to perform any one or more of the conditions subsequent upon which they were made. The absence of an express provision for the reversion of the lands to the Government is of no moment, for the mere fact that a grant is conditional carries with it the right of the grantor to withdraw it if the conditions are not performed.¹

It may fairly be assumed that in making these enormous grants of land the object of Congress was to accomplish certain objects deemed of public utility—namely, to secure the construction of

¹ This is also the view of all the members of the Judiciary Committee of the House of Representatives, the opinion of the majority that the grant to the Northern Pacific Railroad Company is not subject to forfeiture being based upon grounds which will be noticed in another foot-note.

certain important railroads; and, unless the language of the granting acts is such as to leave us no alternative, we are forbidden to adopt an interpretation of them which would be at variance with their prime intent and purpose. Yet an interpretation which implies that the grantees were practically placed under no penalty for failure to fulfill the prescribed conditions seems to us to be clearly of that character. To secure the construction of the desired railroads it was deemed necessary to hold out inducements for capitalists to invest money in the enterprises. Such an inducement was furnished by the grant of vast tracts of land; and, however unwise the policy of making such grants may have been, we at least recognize in it a logical relation to the end in view. It *was* adapted to secure the construction of the roads. But, when we are asked to believe that as a still further inducement the granting acts were so drawn as to assure investors that the conditions annexed to the grants might be violated with impunity, we find the pretension contrary to reason, for an inducement of this character would have been directly calculated to defeat the main object in view.

It would be preposterous to believe that Congress granted a territory twice as large as Great Britain upon certain conditions without reserving power either to withhold or to take back the grants if the conditions were not complied with; for, if this be so, grants which were expressly described as "conditional" in the granting acts were so imperfectly guarded as to make them virtually unconditional. It is true that in the grants to the Northern Pacific, Atlantic & Pacific and Southern Pacific railroads the power was reserved to "do any and all acts and things * * * necessary to insure a speedy completion" of the roads; but if, as is claimed on behalf of the Northern Pacific Railroad Company, the lands were "absolutely appropriated" to the completion of the roads, there would be no object in taking them from a company that makes a reasonably good promise to go ahead with its work, no matter how grave its delinquencies might have been in the past. It might wholly have ignored the conditions prescribed by law—might have let the time fixed for their complete fulfillment arrive without having taken a single step in that direction—and yet would be able to screen itself from all unpleasant consequences of its past negligence by simply engaging to push its road to a speedy completion.

We do not believe that Congress stultified itself by imposing conditions of such a nugatory character. A provision that a land-grant

road should be completed by a given date was, in our opinion, something more than a modest intimation that, if it were the good pleasure of the grantee, the completion of its road by that date would be taken as a favor. In all these grants—and especially in those for the transcontinental railroads—the question of time was a vital one. The grants were made to assist in building railroads through an unsettled country, where there would not for some years be enough business to support them. The subsidies given in the cases now under consideration were wholly in the form of lands; and it is reasonable to suppose that the quantities of land granted were as large as Congress deemed necessary in view of the value the land then possessed or was likely to acquire by the time the companies would earn it, supposing them to build their roads according to the conditions laid down in the granting acts. There existed at the time of the grants a given set of circumstances to which, and to the circumstances deemed likely to exist within the time set for the construction of the roads, we may assume that Congress intended to adapt its grants. The circumstances, however, were rapidly changing, owing to the progress of settlement; and, of course, this fact was perfectly well known to Congress when the grants were made. Even the hard-working German or Swedish immigrant who comes here with a view to taking up a homestead in the wilderness perfectly comprehends that he is not thereby electing to live in a wilderness permanently. He has heard enough about the ordinary course of settlement in the West to understand that other settlers will take up homesteads around him, and that before many years shall have passed he will find himself in a comparatively populous region, provided with roads, schools, markets and all the ordinary advantages of civilized life. That the changes likely to occur in the country through which these railroads were to be built were before the minds of Congressmen when they voted for these grants cannot, therefore, be reasonably doubted. A period of twelve years or more was allowed for the completion of the roads, and it might well have been anticipated that even so much time would witness great progress in settlement and a large advance in the value of wild lands. It must have been foreseen—unless American legislators have less prevision than German or Scandinavian immigrants—that there would by that time be little need for Government aid in the construction of western railroads, and that the lands set apart to aid in the construction of these particular roads might be two, three or four times as valuable as they were when granted. And can we reasonably suppose that

Congress, while foreseeing this, deliberately bound itself to regulate its action in 1880 or 1882 by the circumstances of 1864 or 1866? Can we suppose that it bound itself to continue in their full magnitude grants which, through increase in the value of land, might have grown to two, three or four times their original value, and to do this at a time when the necessity for Government assistance in the construction of railroads might have been greatly diminished, if not wholly done away with, by the progress of settlement? If such a conclusion as this were forced upon us by the express language of the statutes, we should, of course, have nothing to do but accept it; but it would not be fair or reasonable to adopt unnecessarily a construction of the law that would presuppose the Legislature to have been wanting in either patriotism, honesty or common intelligence.

The construction contended for on behalf of the Northern Pacific Railroad Company is not only unnecessary, but inadmissible. The provision in Section 9 of the granting act, that if a breach of conditions shall be made, and allowed to continue for upward of one year, "the United States by its Congress may do any and all acts and things which may be needful and necessary to insure a speedy completion of the said road," even were this the sole source of the power possessed by Congress in the premises, might in our opinion be so construed as to enable Congress to enforce a forfeiture of the grant where the road has not been completed within the period prescribed. It may be said that this is a power which there would be no occasion to exercise where a company (such, for example, as the Northern Pacific) is now showing a good degree of energy in pushing its road to completion. But Congress is the sole judge as to the degree of rapidity desirable in the construction of these overdue roads. When the prescribed time and the additional year of grace allowed by law had expired, the completion of the work became *due on demand*. Congress has a right to assume that corporations which have already proved dilatory will continue to prove so, and, with due regard to equitable claims, has a right to proceed, on the supposition that to insure a speedy completion of the roads it is necessary to put their construction in new hands, or even to undertake it as a public work. It may be said that when a company is already making a fair degree of progress it would be harsh and unfair to make an extreme use of a technical advantage; but, when a company has so placed itself as to be dependent upon the equity and forbearance of Congress, it must be prepared to meet equity with equity—to concede as well as to exact.

But Congress is not dependent upon the powers expressly reserved in Section 9 of the Northern Pacific Railroad act and in the corresponding sections of other acts of like tenor. Its power to declare a forfeiture of the Northern Pacific Railroad grant, and of all the other grants similarly conditioned, grows out of the simple facts that the grants were conditional, and that the conditions upon which they were made have been broken; and the object contemplated in the insertion of the provisions embodied in the section under consideration unquestionably was to empower the Government, while using its own pleasure as to the exercise of the power to enforce forfeitures, to adopt any *other* measures more specifically adapted to the promotion of a particular end—namely, “the speedy completion” of certain transcontinental railroads, the construction of which within a limited time might for military or other reasons become an object of paramount importance. In short, the condition provided in Section 9 of the Northern Pacific Railroad act did not supersede any of the other conditions prescribed in that act, but, as expressly stated in the act itself, was a “*further* condition,” and its effect was greatly to enlarge the powers which Congress already possessed in virtue of the conditional character of its grants by adding to the power of enforcing forfeitures the power of active and positive interference in respect to the work of constructing the roads, and this to any extent which might be necessary to insure their “speedy completion.”¹

As matters now stand, there is perhaps no occasion for a resort to

¹ It is somewhat remarkable that the majority of the Judiciary Committee of the House of Representatives, in their recent report to that body as regards the Northern Pacific Railroad, regard Section 9 as limiting the power of Congress, instead of extending it. They concede, as stated in a previous foot-note, that there was no need of any express provision for the reversion of the lands to the Government, the power of the latter to revest itself with the title to the granted lands upon a breach of conditions on the part of the grantee being sufficiently asserted in the mere act of prescribing conditions; but they conclude that the insertion of a provision empowering Congress to “do any and all acts * * * necessary to insure a speedy completion of the said road” deprived it of the power to do any act *not* necessary to insure such speedy completion. To this a minority, comprising seven of the fifteen members of the committee, in a report prepared and just [July 24] presented to the House by Mr. Payson, make the conclusive reply that such an interpretation of Section 9 is inadmissible, inasmuch as it involves the absurd assumption that in the very act of making a conditional grant Congress discharged the grantee from the duty of performing the conditions prescribed. The following is an extract from the report in question: “In other words, the majority assert that because in express terms Congress imposed a *further* condition on an already existing conditional grant, which further condition was not inconsistent with the prior conditions and correlative rights and liabilities under them, the imposition of such further condition was in legal effect an abrogation of all legal rights beneficial to the Government growing out of the prior conditions, and the grantee took the estate practically discharged therefrom.”

any of the additional powers reserved in Section 9 of the Northern Pacific Railroad act with a view to hastening the completion of that road. The company may doubtless be trusted to push forward its work with due energy; but it has already failed to complete its road within the prescribed time, and the conditions annexed to its grant having been broken, that grant, or at least so much thereof as has not been earned and patented to the company in accordance with the provisions of the granting act, is legally forfeited. Many millions of acres of valuable land are thus placed as completely at the disposal of Congress as if they had never been granted. They are, in fact, a public property, which, just as much as any other public property in the country, should be administered with a view to the public good. If there are valid reasons why any portion of this property should be given to the company, Congress will be justified in giving it such a portion; but whether it should give any, and, if any, how much, are questions to be decided upon their merits in view of present considerations of equity and public policy. The magnitude of the grants made by earlier congresses, acting perhaps in part under such influences as were subsequently revealed by the Credit Mobilier investigation, affords no criterion whatever for the guidance of the present Congress in its dealings with the delinquent grantees.

It may be worth while to mention that 150 miles of the Northern Pacific Railroad approved by President Hayes after the grant expired, 325 miles since approved by President Arthur, and other portions of the road not yet examined and reported on by Government commissioners, have been built upon a changed location. There is good reason to believe that this fact alone would invalidate the rights of the company to portions of the grant corresponding to these parts of the road, since whatever rights it possessed attached to the lands along its route as indicated in the map originally filed in the Land Office, as required by law. There is perhaps better reason for considerateness in dealing with this company than there is in the case of any other of the larger corporations. It has shown a fair degree of energy in the prosecution of its work, and its road will afford a desirable line of communication through a region not otherwise provided for; but its grant is three or four times as large as can be necessary under present circumstances, for the rapid settlement going on in the country along its line will soon afford enough business to make the enterprise self-sustaining, and at the same time will cause a rapid enhancement of the value of its lands. In the case of the Southern

Pacific and the Texas Pacific Railroad Companies, unaided private enterprise has already accomplished the work which they were subsidized to perform; and the same is substantially true as regards a part of the route of the Atlantic & Pacific. The time has in fact come when, under the operation of the laws of trade alone, railroads are likely to be built about as fast as there is any occasion for them; and, when so built, they are more likely to be put where they are needed than when promoted by Government aid. Nor can it any longer be pretended that railroad subsidies are necessary to facilitate the settlement of the country, for this is advancing with extraordinary rapidity; and with immigration pouring in upon us at the rate of nearly a million per annum, and our population increasing at a rate that will double it in less than thirty years, there is no danger that our western Territories will long be in want of either inhabitants or railroads. If the rapid settlement of the country is what we wish, all we need do to secure it is to reserve our lands for actual settlers. The truth is that land grants have probably done much more to retard settlement than to accelerate it, for the immense belts (in several cases eighty to one hundred miles in width) that have been withdrawn on railroad account lie for the most part in unsurveyed country; and, as the Government sections cannot under such circumstances be distinguished from those destined for the railroads, the practical effect is to exclude the settler from both until surveys are made.

But the chief of the evils wrought by these grants is monopoly of the soil, to which they contribute, on the one hand, by facilitating the creation of "bonanza" farms, like the famous large wheat farms of Dakota, and, on the other, by promoting the growth of a system of landlordism, instead of those freehold tenures of which we have been wont to boast. Nor should it be overlooked in this last connection that landlordism in the United States is much more absolute, as regards the legal rights and powers of the landlord, than the landlordism against which the Irish tenant farmers are now in a state of rebellion. That its operation has hitherto been less oppressive is solely due to the fact that the supply of land in this country has been abundant, whereas in Ireland it falls very far short of being equal to the demand for it.

There is, however, ample reason for the enforcement of forfeitures in the single fact that they have been incurred, unless it can be shown affirmatively on behalf of the delinquent corporations that the continuance or partial continuance of their grants is demanded by equity, or

called or by considerations of public utility; for it is manifestly absurd to bestow public property upon private individuals or corporations unless it be done for some object of public interest; and not to recover it when it has become subject to forfeiture is the same as to bestow it.

It is important, too, that whatever is to be done in this matter shall be done quickly. Within a year, or but little more, the Northern Pacific Railroad will probably be completed, and the company will then be able to put forward a rather plausible claim for the retention of the whole of its vast grant. In respect to this road, therefore, action should by all means be taken during the present session of Congress; and the cases of the Atlantic & Pacific, Southern Pacific of California and Texas and Pacific companies are almost equally urgent. Nor should there be any delay in dealing with the smaller grants. In the case of these it would be impracticable for Congress to act separately on each case; and the best available plan will probably be to make a law directing the Secretary of the Interior to annul the withdrawal of all the granted lands not earned by the companies in the manner and within the time prescribed.

The larger part of the land granted to aid in the construction of railroads has now become subject to the will of Congress, and can be restored to the public domain if prompt action be taken in regard to it. To remain inactive and allow any of these lapsed grants to pass into the possession of the delinquent companies would be a much greater offense against public policy than was committed by the Congresses which passed the granting acts; for it would be equivalent to renewing the grants at a time when the circumstances originally pleaded in their defense no longer have an existence.

EDWARD T. PETERS.

BIMETALLISM.

THE object of this essay is to demonstrate how a constant ratio of value between gold and silver all over the world may be established.

If any certain country employs either of the metals in question as money—that is to say, as the common commodity of exchange—a

change in the value of this metal may be caused by a change in the supply, or by a change in the demand for it. If the supply of gold in a country which used only gold were doubled, while the quantity of commodities to be exchanged for gold remained the same, prices would be doubled; and in general prices would rise or fall according as the supply of gold increased or diminished. And if the supply of gold remained the same, while the commodities to be exchanged for it altered in quantity, prices would rise or fall according as the quantity of commodities became smaller or larger. At the same time it is evident that changes both in the supply of gold and in the demand for it may take place simultaneously, and either both combine to raise prices or both lower prices, or else a change in one may counteract a change in the other.

Suppose a part of the world to use gold and the other part to use silver, each metal as single standard in its respective territory. If at any given time we compare the prices in the gold-using countries to the prices in the silver-using countries, we find that a bushel of wheat, or a measure of any other commodity used in either part of the world, exchanges for a certain amount of gold in the gold countries or a certain amount of silver in the silver countries. These amounts of gold and silver, exchanging for the same measure of other commodities, are equal in value; and, if they are further compared to each other with regard to weight, a certain weight of one metal is equal in value to a certain weight of the other metal. This proportion or ratio of weight between quantities of equal value, usually called the ratio of value, is liable to fluctuate according to the variation of prices in the respective territories. [Of course the absolute quantity of each metal has nothing to do with the ratio of value, and consequently, if it happens that the total production of silver in all ages is nineteen times heavier than the total production of gold, it would be absurd to contend that gold should therefore be worth nineteen times as much as the same weight of silver. The silver in existence might be one thousand times heavier than the gold, and yet a pound of gold might be worth only twenty, or ten, or perhaps one, pound of silver.] But, as the ratio between gold and silver is the relation between prices in gold and silver countries, a change in it must proceed either from a change in the supply of either metal while the demand remains the same, or from a change in the demand of either metal while the supply remains the same, or else from a combination of changes in supply and demand.

Supposing the demand to be the same, if the quantities of each metal (of course, as money) are at the same time increased or diminished proportionately to the existing stock of each, there will be no change in the ratio, prices being affected proportionately in each territory. But if one metal increased a great deal—say, for instance, 10 per cent.—while the other remained stationary, or even increased 1 or 2 per cent., or else diminished, the ratio would be subject to corresponding alterations. The supply, which cannot be controlled, is liable to be increased irregularly, according as poor or rich mines are discovered, though, on the other hand, existing prices decide how far the poorest mines may be worked.

Supposing the supply to be the same, a variation in the demand also may or may not be proportionate to the existing stock of each metal. That is to say, the demand for each metal may become a certain percentage greater or smaller than it was, which in reality means that so much more or less of commodities is offered for the existing quantity of each metal; or the commodities offered for gold may increase, say, 10 per cent., while only 5 per cent. more commodities are given for silver. In the former case the ratio is unaffected; in the latter it is necessarily changed. The demand, which can be controlled, as I propose to prove presently, may, if not controlled, be affected by a more or less permanent change in credit—for instance, an improved banking system, or an inconvertible note issue. It may be influenced by a temporary fluctuation in trade, or it may be considerably altered by the demonetization of one metal for the other.

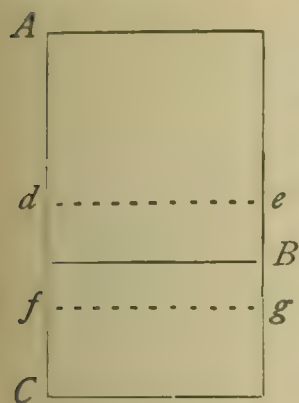
But, whichever of these causes affect prices, the changed price implies that a certain quantity of gold or silver now does the same service as was formerly done by a different quantity; and, if prices change proportionately in gold and silver countries, the ratio between gold and silver remains the same. If they are not changed proportionately, the effect is shown in the ratio. Thus, if the ratio between silver and gold is 10 to 1, and the supply of gold were doubled while the stock of silver remained unchanged, the ratio would be 10 to 2 or 5 to 1. If at the same time silver had been increased 10 per cent., the ratio would be $5\frac{1}{2}$ to 1. If less commodities were given for gold while silver had the same employment as before, so that while silver prices remained stationary gold prices rose 25 per cent., the ratio, if it was previously 10 to 1, would now be 10 to $1\frac{1}{4}$ or 8 to 1. Again, if the ratio is $15\frac{1}{2}$ to 1, while there are \$3,500,000,000

of silver and \$4,000,000,000 of gold, and if \$300,000,000 of silver are demonetized and gold substituted, the ratio will be 18.22 to 1. If the supply of gold is doubled while the demand for silver decreases by one-half, the ratio is unaffected; and, whatever be the annual increase of one metal, if the demand for the other metal is proportionately reduced, the ratio remains undisturbed. From this we can understand that by a change in the supply and demand any ratio may be produced, or, whatever be the supply, the same effect may be brought about by a sufficient change in the demand. If the stock of silver happened to be equal in value to the stock of gold, and the ratio were 10 to 1, and if one-half of the stock of gold were demonetized, silver being substituted, gold prices would rise 100 per cent. and silver prices would fall 33 1-3 per cent., making the ratio 3 1-3 to 1. If one-half of the stock of silver had been demonetized instead, the ratio would have been 30 to 1. At any time, therefore, the ratio may be changed by the demand. If the stock of each metal is given, the demand controls the ratio. If the supply varies while the demand is stationary, the ratio varies according to the supply. But if the demand varies so that, while the increased supply of one metal is not absorbed by an increased demand, so as to maintain previous prices, the demand for the other metal is proportionately diminished, the ratio remains unchanged.

What we desire is a constant ratio. We know that the supply cannot be controlled. Consequently, if a certain ratio is to be maintained, the demand must vary according to the supply in the manner indicated. If it is indifferent to people whether they receive gold or silver (or notes secured by either metal), as long as they lose nothing by accepting either, we may suppose that a man might change his demand from gold to silver or from silver to gold every day if he knew that by so doing he contributed to adapt the demand to the supply of the precious metals, and thus to maintain the ratio. Nor is it at all strange that a similar spirit of accommodation has unconsciously existed on the frontiers between gold and silver using countries in times when prices were not so susceptible to change as they are now. To effect the same result we should, however, have to act on a more concerted principle.

Suppose, as in the diagram, one part of the world, *A B*, employs gold, and the other part, *B C*, employs silver. The ratio which exists at any given moment—say, for instance, 15 1/2 to 1—is liable to vary from different causes as long as the use of either metal is strictly

confined to a certain territory. But if the boundary line were movable—that is to say, if people on either side of it were willing



to substitute one metal for another in order to maintain the ratio—the ratio would be maintained, and the boundary line might in time be moved to *d e* or *f g*. Suppose, then, that people on either side of the boundary—say, between the lines *d e* and *f g*, and in equal proportions to the single-standard gold and silver using countries—in order to be equally far from the probability of being absorbed by either the gold or silver single-standard territory, agree to use gold and silver indiscriminate-

ly at the ratio which ruled on the day of agreement—say, $15\frac{1}{2}$ to 1. Gold was formerly used by *B d* and silver by *B f*. Now both use gold and silver indiscriminately. If the yearly addition to the stock of gold becomes proportionately greater than that of silver, the boundary line will move toward *f g*. When it has reached that limit the world stands on much the same point as it did before *d g* became bimetallic. The difference is that gold is now used by *A g* instead of *A B*, and silver by *C g* instead of *C B*, while the ratio is the same—namely, $15\frac{1}{2}$ to 1. Another agreement may now be made between people round *f g*, and while the ratio is thus maintained the boundary may again move, either further into the silver territory or back toward its former position, if the supply of silver grows sufficiently large. Nor is there any limit to the change of the boundary line before the the total stock of one metal is so much greater than the stock of the other metal that the latter is absorbed for purposes of art—that is to say, as long as both metals are used as money. Thus any ratio between gold and silver may be established and maintained. And the system, when exposed to different influences in various circumstances, will act in the following way:

Suppose *d g* to be bimetallic. If the supply of silver becomes proportionately greater than the supply of gold, silver prices will rise, say, first in *C g*, if the silver is sent there; then, in order to buy articles cheaper in the bimetallic *d g*, silver will flow there. This will raise prices in *d g*—both gold and silver prices—and gold will go to *A e* in order to buy goods cheaper, until finally the equilibrium in prices is restored, the extra supply of silver having increased the stock of silver in *C g* and *d g* and caused some gold to migrate to *A e*.

If part of *C g* were to demonetize silver for gold, this silver would

be sent to $d g$, and an equal amount of gold would leave $d g$ for the new gold-using country, the ratio remaining undisturbed as long as there is sufficient gold to be had from $d g$.

If inconvertible notes were used in $C g$, thus reducing the demand for silver, the superfluous silver would at first increase the prices in $C g$, then silver would flow to $d g$ and gold from $d g$ to $A e$, raising prices in all, but preserving the ratio as long as a sufficient amount of gold can be found in $d g$ to be sent over to $A e$. If in the two latter instances there is not enough gold to be had from $d g$, a further part of $A e$ must become bimetallic at the ratio in question, or else a part of $A e$ might substitute silver for gold.

Again, regarding a temporary fluctuation in trade at the commencement of a trade revival, or whenever an increased activity supported by credit causes prices to rise, some gold or silver might at first leave the place where prices rose, but it would soon return, since increased activity in one part of the world is most likely to call forth better trade even in other parts. For though it may happen, as the case has been in the United States lately, that a largely increased credit is accompanied by a large increase in the demand for the precious metals, the ordinary case would be a spreading increase in credit, while the stores of the precious metals in the different countries remained more or less unaffected, with only temporary fluctuations according to changing prices; and in this latter case gold and silver would frequently be flowing to and from the bimetallic countries. Without bimetallism these fluctuations of trade would cause a constant flutter in the ratio.

If, on the other hand, inconvertible notes are issued by the bimetallic countries, both gold and silver will leave for the respective single-standard countries, each metal in equal proportion to the stock in the single-standard territory to which it goes; but, as long as some silver and gold remain in the bimetallic countries, the ratio will be unaffected; or, even if only one metal remained, so long as the boundary line of the ratio does not fall outside the limit of the bimetallic countries, though it may coincide with this limit, the ratio will remain the same. But if the inconvertible note issue is so large that it drives out all precious metals, while the latter are not in the same proportion to the respective stocks in the single-standard countries, or all of one metal and more than a corresponding proportion of the other, each compared to the stocks in the respective single-standard countries, the ratio is changed, and must be reestablished by an agreement with some country possessing the metal which has been driven out from the

bimetallic territory, or else by an agreement between two territories, one of which has gold and the other silver. The bimetallic countries should not, however, be allowed to be drained entirely of either metal before measures were taken to extend bimetallism on the side to which the reduced metal has gone, for it is of importance that either metal should be found readily if required for export.

Let us now inquire how far on each side of the boundary line bimetallism should extend, and whether it might not extend on both sides over the whole world. While supply and demand of the precious metals vary but slightly, the bimetallic part of the world need encompass but a very small area—in fact, merely cover the boundary line. But if this territory is very small, and prices in either gold or silver countries cause one of the metals to flow for some time to the bimetallic territory, the other metal may soon be driven out, and it would, therefore, be necessary very soon to prevail upon others to adopt bimetallism. The larger the territory is the longer will be the time that it can maintain the ratio—that is to say, the period during which it would be likely to become neither silver nor gold monometallic, or, which comes to the same, be drained of either metal. It is not, however, by any means necessary that it should be very large. To be prepared against a disturbance of \$100,000,000 or \$200,000,000 of one metal, the bimetallic countries need only possess a part of that amount in the other metal. If, for instance, the existing stock of gold and silver is \$5,000,000,000, and the gold in the single-standard countries amounts to \$2,000,000,000, or two-fifths of the entire stock of metals, the bimetallic countries need only possess in gold a quantity equal to two-fifths of whatever amount of silver may be produced in excess of a proportionate production of gold. If \$100,000,000 of silver are thus produced in excess, two-fifths, or \$40,000,000, will be exchanged for gold in the bimetallic countries, and this gold will flow to the gold single-standard countries, while the other \$60,000,000 will raise prices proportionately in the silver and bimetallic countries; and the amount of gold in bimetallic countries necessary to neutralize this large extra supply of silver from the mines (mind, *not* the total production of silver for money purposes, but the excess in this production over the proportionate gold production) is, therefore, \$40,000,000. If the disturbance proceed from a diminished requirement in either the gold or silver single-standard countries—for instance, in consequence of an inconvertible note issue—the proportion will be a little different. Thus, suppose the total stock of gold and silver to be \$5,000,000,000,

gold used as single standard \$2,000,000,000, and diminished requirement of silver to be \$100,000,000. These \$100,000,000 will act upon the remaining \$4,900,000,000 as if they came direct from the mines, and the gold required in bimetallic countries is twenty-four-ninths of \$100,000,000, or near \$41,000,000. To neutralize a demonetization of silver for gold, on the other hand, is required in the bimetallic territory an amount of gold equal to the demonetized amount of silver. Leaving this latter contingency out of question, we can, therefore, understand that the bimetallic territory need not extend far on each side of the boundary line in order to maintain the ratio through all ordinary changes of supply and demand.

Can the whole world adopt bimetallism? What occurs in a small bimetallic territory, where everybody accepts gold or silver, as the case may require in order to keep up the ratio, is precisely the same as if different parts of the country, contiguous or not, were constantly changing from one metal to another; it is identically the same as if from day to day, or from hour to hour, different parts of the country were proclaimed as single-standard silver or gold using, and the ratio is maintained because the use of either metal is thus extended or curtailed according to the supply—that is to say, according as either of the metals is offered. Yet those who really need to change for the purpose of keeping up the ratio—that is to say, those who actually do maintain the ratio, whether we look upon them as territories, each of so many square yards, or as human beings—are very few. While thousands or millions change from gold to silver, other thousands or millions change from silver to gold, and neutralize the act of the former, but the balance lies with a few, and while those maintain it it is of no consequence whether millions or hundreds of millions thus counteract each other. The balancing or adjusting power remains exactly the same in any case, and it is therefore indifferent, as far as the ratio is concerned, whether the bimetallic territory is barely sufficient to keep up the ratio or whether it extends further, or even includes the whole world.

If universal bimetallism is adopted, the world will behave in much the same way as if only partial bimetallism existed. It may happen that both gold and silver are gradually dispersed all over the world, and pass side by side of each other, in which case the world would present the same aspect as the bimetallic territory when only a part of the world was bimetallic; or what is more likely, not to say certain, to occur, silver would remain in the East and gold in those coun-

tries which had a predilection for it—not, of course, in consequence of any holder refusing to accept or pay either metal, but by the very simple expedient of accepting whatever is offered, while sending away the metal which is least “fancied,” unless requested to send the other. If China received gold she would be likely to ship it in preference to silver, while England, on the other hand, accustomed to gold, would have no objection to let China keep the silver. And in this case the world would look and act precisely as if only partial bimetallism existed. There is actually no difference. For in either case there are the countries on either side with one metal, and between them the bimetallic boundary line, with its surrounding bimetallic territory, approaching one side or the other as circumstances may command, and in either case universal or partial bimetallism; the boundary line between the metals may move to one side until the stock of one metal, being very small compared to the stock of the other, is absorbed for purposes of art.

Thus it has been demonstrated how bimetallism, either partial or universal, can be established, the advantage of the latter being that after it had been once adopted the world would forever after, as long as both metals were used as money, be delivered not only from the consequences of a changing ratio, but from the care of having to adjust the demand from time to time so as to maintain the ratio, which latter inconvenience will always accompany a partial bimetallism, though under favorable circumstances and with a tolerably large bimetallic territory no readjustment might be necessary perhaps for a century. But if universal bimetallism cannot be agreed upon, it is desirable that as large a bimetallic union as possible should be established; while it is to be remembered that a country with but \$100,000,000 of each metal, and adopting the actual ratio, would be likely to preserve that ratio against all contingencies save large demonetizations for a long time to come; and that, further, a very small bimetallic territory, supported by others who were willing to adopt bimetallism whenever this territory should be denuded of either metal, would be sufficient to bring about the good result which we desire.

J. W. SODERHOLM.

THE SUEZ CANAL.

AT the present moment, when the eyes of the world are centered upon Egypt, and upon the operations and action of the British forces in that unfortunate section of the universe, a short notice upon one of the most wonderful undertakings of modern years may not be inappropriate, as coming from the hands of a writer whose associations have frequently brought him into proximity with the present seat of war, more especially so from the number of passages from East to West, and *vice versa*, he has made during a series of years through that great commercial highway, now so prominently brought forward by the course adopted by the British Admiral (Sir Beauchamp Seymour) in placing a temporary embargo upon its use, and it is a grim satire that recalls the fact that it was the *Invincible* (his flagship) that was the vessel to escort the Prince of Wales in state through the canal when he visited India. "Via Suez Canal" are words now familiar to every reader, however untraveled; but to a majority their intense import is scarcely known or appreciated, conveying as they do an unblazoned announcement of what science, capital and practical skill has accomplished toward irrevocably uniting the strategic and commercial interests of the East and West. About the year 1829, during the Governor-Generalship of India by Lord William Bentinck, attention was drawn to the practicability of shortening the route to the East Indies via the Cape, and this object resulted in an offer of a premium to the first steamship that should reach India by that route. This was won by the *Enterprise*, commanded by Captain Johnson, and was accomplished in 113 days. As, however, this passage was considered as very little improvement upon the voyages made previously by those old teak-built bruise-waters, propelled by canvas, and known as East Indiamen, a further attempt was made by experimenting as to what could be done by the way of the Persian Gulf and the River Euphrates. Insuperable difficulties arose to render this intention abortive, and attention was then turned toward a practical route by the Red Sea. This task was deputed to the *Hugh Lindsay*, a little steamer of 400 tons, and she accomplished the duty by reaching Suez from Bombay in one month, the same passage being now performed weekly by the magnificent steamers of the Peninsular & Oriental Company in from twelve to fourteen days, often even in the height of the Southwest monsoon, for which season, however, an allowance of five days is

made during its continuance. It was now announced with triumph that, with corresponding arrangements existing upon the Mediterranean side, the whole distance might be performed in 55 days. Here, however, the dollar policy interposed, and the court of directors of the Honorable East India Company pleaded expense as an obstacle against the enterprise they were averse to succeeding, and the Hugh Lindsay was ordered not to repeat her trip; but Parliamentary aid was called in, and the order was rescinded; but, although a fund of three lacs of rupees (300,000) was subscribed for by the united presidencies of Bengal, Madras and Bombay as a subsidy to support her expenses, the red-tapeism of the same court of directors proved sufficient to annul all attempts to accelerate the mails by the Hugh Lindsay. At this juncture attention was directed to the Steam Navigation Company, then known as the Peninsular, whose fleet of steamers were employed in the Mediterranean service, and, a royal charter subsidy being offered as attractions, induced the addition of the words "and Oriental," and thus formed the nucleus of the Peninsular & Oriental Steam Navigation Company, whose standing as one of the largest and most opulent services afloat is too well known to now require testimonials, as it is at the present day the pride of Britain as a monument of patient, persevering enterprise and indomitable energy. Vessels of this company were at once placed upon the eastern side of the Isthmus of Suez to run in connection with those upon the western station. France, alike forward in this, as also in the Suez Canal scheme, at once perceiving advantages sure to accrue to her commerce, held out inducements which resulted in the establishment of the Marseilles route, which at once was adopted by travelers to and from the East Indies and China, etc. The journey across the Isthmus of Suez was at this time indeed a journey, performed as it was over the vast desert by means of caravans and old passenger vans, traveling so slowly as to take upward of three days frequently in transit.

The Sepoy revolt of 1857 directed attention to the vital necessity for a more speedy means of communication, and eventually resulted in the establishment of a railway from Suez to Alexandria by way of Cairo. Only those who can now remember the days spent at Cairo *en route* while awaiting at Shepherd's and other hotels the arrival of the vessels upon either side of the Isthmus can relate the miseries they have endured, and fully appreciate the direct route as it now exists from Suez to Alexandria, or the still greater advantages of the Suez Canal.

To Lieutenant Waghorn, then an officer in the service of the Honorable East India Company, belongs directly the honor of demonstrating the feasibility of shortening the journey between the East Indies and Europe. Traveling by post as far as Trieste, in Austria, he there embarked in a Spanish vessel for Alexandria, and thence traveled by dromedary or camel to Cairo and Suez. Here embarking in an open boat, manned by Arabs, after many difficulties he reached the harbor of Mocha, where he fortunately met the Government vessel which he had previously missed, and which had been sent to meet him. Thus he reached Bombay in *fifty-five days*, and delivered his dispatches. The same can now be done via Brindisi in fourteen to seventeen days under ordinary circumstances. Lieutenant Waghorn subsequently fully substantiated his theory by delivering the Bombay mail of October 1 in London on the 31st of the same month, and thereby placed his claim beyond all doubt as the founder of the world-known Overland Route. It is a significant and graceful compliment paid by an alien nation to the memory of a brave man, whose unrequited efforts by his own nation led to their subsequent recognition by the French authorities on the opening of the grand outcome of his endeavors. The statue placed opposite the bureau or office of the Suez Canal Company at the entrance of the canal at Suez is a mute reminder, and tells its tale of national appreciation and gratitude. The present Canal de Suez may fairly be attributed to owe its direct origin to the successful administration of the Overland Route, as, although the idea of establishing water communication between the Mediterranean and Red seas was revived in 1798, and a survey appointed by its originator, Napoleon Bonaparte, the reports received were such as to apparently leave no hopes of success from the fact that the Red Sea level was said to be thirty feet above that of the Mediterranean. In 1846 a further survey was made, which resulted in the proof of the inaccuracy of the previous one, as the difference was found to be so slight as to offer every facility for the attempt. To Rameses, the great King of Egypt, belongs, however, the credit of originating the idea of a canal through the desert, as he is mentioned as having employed captives in the work during his reign (B. C. 1400). Nothing definite appears to have been achieved until the year 1855, when a firman was granted by the Viceroy of Egypt to a French engineer, M. de Lesseps, by which he received power to form a company and enter upon the work of opening a canal from sea to sea. This company was incorporated under the name La Compagnie

Universelle du Canal de Suez, and was bound by conditions providing that all works were to be executed at the company's expense. Government was to receive 15 per cent. of annual earnings, 75 per cent. was to be divided among the shareholders, and 10 per cent. to the original founders, and the terms of the charter were to extend for a period of ninety-nine years from date of opening, etc. The misinterpretation of a clause inserted as to labor, which was to be forced, led to complications, and it is supposed that, deferring to the wishes of England, who was opposed to the enterprise upon political grounds, the Sultan refused to ratify the disputed clause about forced labor, and this led to a temporary cessation of further attempts, and in the year 1864 to a suspension of the work. By mutual consent the question in dispute was placed in arbitration before the Emperor Napoleon III., upon whose decision the sum of £1,520,000 was decreed as payable by the Viceroy as indemnity for his breach of contract, and the company subsequently obtained a total award of £3,360,000, payable by 1869.

The original capital was constituted by 400,000 shares, valued at £20 each, the public subscribing for something over one-half, and the balance, amounting to about £3,500,000, being taken over by Said Pacha (then Viceroy) in 1860. More funds being needed led to a further subscription being opened in 1867, and £4,000,000 was raised by bonds of £20 each being issued at £12 each, and bearing interest at £1 per bond, repayable at par in fifty years. Subsequently, the French Government permitted an issue of bonds, repayable by lottery, and by this a further sum of £1,200,000 was soon raised, as also other amounts for cession of lands held by the canal company, and making in all about £17,000,000 received up to the date of its opening. It was on April 29, 1859, that the first sod was cut at what is now Port Said, so named after the reigning Viceroy. On August 15, 1869, the dam was severed at Suez, which allowed the waters of the Red Sea to mingle with those of the Mediterranean, and upon November 17, 1869, the canal was formally declared open for traffic, amid great rejoicings, all maritime nations being represented by their flags, carried in procession by their respective ships. The Empress Eugène (then Empress of France) was present, and was regally entertained by the Viceroy, her residence *pro tem.* being the pretty chalet erected for her accommodation at the entrance of Lake Timsah, at Ismailia, and now so familiar by its sand-covered steps and deserted looks to those passing through the canal. The procession

entered Suez Roads amid the thunder of salutes from the Egyptian men-of-war at anchor there, all ships being dressed and manning yards, etc. No conception can be formed of the canal as it now is to convey an idea of its stupendity, as a far better idea was gained by those who saw it at intervals, when still dry, during construction. What are now level banks of sand then appeared, when viewed from the dry bed of the embryo canal, high mountains, as the sand and mica, etc., had been thrown up from below by enormous machines made especially for the work. The impression to the casual observer would be that only sand had to be lifted, but any one who saw the hundreds of tons of mica daily thrown up, or the unexpected difficulty in blasting the rock at Serapeum, can testify to the contrary. During the progress of the work the dry bed of the canal presented a curious spectacle, hundreds of men of almost every nationality being employed. Arabs, Greeks, Levantines, Maltese, Italians, all were there, and it called one's mind back in truth to the building of the Tower of Babel. The apparently insurmountable difficulties that had to be overcome were many, but the greatest of all was that of fresh water, for the workmen, etc.

At the Port Said end water was brought upward of thirty miles across Lake Menzaleh by boats from Damietta, while the proximity of the fresh-water canal at Ismailia (about half way through the canal) and at Chaloof, near the Suez end, rendered it an easier matter at these points. The enormous machines used for dredging and lifting the earth were specially built for that work. The long couloir was an invention consisting of a massive iron floating framework, with a spout seventy-five yards long and five feet in breadth, and it was used for disposing of the dredgings. When the banks became too high for these another machine, known as the elevateur, was employed, and the cost of each of these must have been great. Hundreds of ballast steam barges and small steamers were daily to be seen at various duties. The port or entrance at each end of the canal is formed by some hundreds of massive blocks of concrete, which were built upon the spot, and then, when hard and set, these were thrown into the sea, till a foundation was formed. Each block weighs about twenty tons, with a cubic measurement of twelve yards. When the idea of a canal through a sandy desert was first entertained, it was feared that the wash of passing vessels would cause the banks to silt, and perhaps cause trouble, and it was once considered a necessity to face the banks with masonry. Time has now shown that

this only took place to a very small extent, and the rank, sparse verdure which has struggled into life along the banks has lent its aid as a binding agent, added to which also the action of the water upon the baked sand has in some parts formed a kind of natural facing.

Although there is a very little difference in the level of the Mediterranean and Red seas, still it is sufficient to cause a very strong current at times, which acts as a purifier. From a scale in the writer's possession the entire length from sea to sea is one hundred and sixty kilometres, or ninety-nine miles, seven hundred and forty-one yards, and the average breadth is about two to three hundred yards. In the channel there is an abundant depth of water, varying in parts, and it is only when vessels leave the channel by mishap or wild steering that they are likely to ground. It requires the most steady helm to successfully make the canal passage, and for this reason it has been customary for vessels whose steering power was defective to ship an addition to their rudder upon entering the canal.

The working of the canal administration is perfection and most interesting, and nothing is left to chance, as every contingency is foreseen and provided for. Upon the arrival at either end of a vessel whose intention is to pass through, she hoists her national color and her name, and anchors or remains till signal is made from the Bureau flagstaff to enter. Pilots are compulsory, and are retained, detailed and paid by the canal administration. The charge levied on each vessel is ten francs per ton and ten francs for each passenger. Ship's complement, or crew, is free, so far as it is needed for navigation, and the measurement of space needed for their accommodation is calculated and allowed for in paying tonnage dues. Some few years ago a dispute occurred as to the claim being payable upon gross or register tonnage, which ended in the latter being the total tons upon which fees were to be levied. The ship's register and statement of passengers on board, as also draught of water forward and aft, are handed into the Bureau, and when dues have been paid a pilot is placed on board and the vessel steams into the canal, when ready, in her regular turn. "First come first served" is the rule, and no vessel is allowed to enter before or pass another without permission, which is given from the flagstaff at one of the stations, or by telegram from headquarters. At intervals of five kilometres along the whole length of the canal are stations (three and one-half miles) furnished with a flagstaff, from which all signals are made by flags, or geometrical signals, as

needed, and by this means a perfect knowledge of all movements along the canal is kept up. On a vessel leaving one of these stations, her departure is signaled, and if she does not arrive at the next station in average time she is assumed as grounded, and traffic arranged for accordingly. At certain distances along the route are open spaces where the banks are further apart; these are called "gares," and are in reality "shunting" places for vessels coming either way to pass each other. The rule is for the vessel nearest the "gare" to give way and get out of the channel, which she does by being hauled in and secured by head and stern lines. Precedence is given to all mail steamers when flying their mail signal, and it is rather annoying at times for a number of vessels to have to "haul in" to allow one single mail steamer to pass them uninterrupted. The average rate of speed allowed to be maintained is five knots, but this is increased as practicable when passing through the Bitter Lakes or Lake Timsah. Pilots are changed generally at Ismailia, unless otherwise ordered, and in serious cases of grounding they are sometimes changed *en route*. Upon arrival at either end the vessel drops her pilot and steams away to sea upon her course. An ingenious contrivance exists at the offices of the terminal stations which shows at a glance the exact position of each ship in the canal, and her nationality, etc., which is furnished by telegraph. This consists of a model of the canal, showing all stations and "gares," etc., and is fitted with little representations of ships, which are moved on as each report is made of arrival or departure. The British government have persistently declined to allow the Brindisi mails to be carried through the canal, and insist on their being forwarded by railway. An experimental trip was made by one of the British mail steamers of the Peninsular & Oriental Company in order to demonstrate the practicability of keeping contract time by doing so, which she fully did; but wise and cogent reasons exist for the action of the British post office. Complications arose about the year 1875 which led to a threat of closing the canal. This emanated presumedly from the French authorities, but it was not carried out, owing to the prompt action of McKillop Pasha (Captain McKillop, R. N., then commanding Egyptian fleet), who, acting under the Khedive's orders, embarked a force of Egyptian troops at a short notice on board the Marrousa (Khedive's yacht), steamed out of Alexandria harbor at night, and presented himself at Port Said at daylight next morning, ready to prevent its being realized. He personally traversed the canal in a steam launch

and posted his men on its banks, with orders to fire on any persons removing any buoys or beacons, as it was threatened to do.

On the 25th of November, 1875, a masterly stroke was played for England by Mr. Disraeli (Lord Beaconsfield), who acquired by purchase shares to the amount of £4,000,000, and thus gave that power the right to a say in affairs as a principal shareholder. About this period the majority of the pilots were French subjects, and a change was considered necessary, which resulted in a proportion of other nation's subjects being employed as a politic measure against ascendancy by any predominating nationality. From a strategical point of view, in war the position of the Suez Canal possesses incalculable advantages to any belligerent power holding its control, but to Great Britain its importance is preëminent as the highway to her Indian, Australian, Ceylon, Straits and China possessions.

As a means of quick communication to France with her colonies of Cochin China, Chandernagore, Pondicherry, New Caledonia, etc., it possesses great advantages, as also to Spain with her Phillipine Island possessions, and to Portugal with her possessions of Goa and Damaun in India, and of Marcoâ in China.

Considered commercially, its value is immense, as its use by an enormous fleet of steamers of every nationality shows. The splendid vessels of the fleets of the Peninsular & Oriental Company, Messageries Maritimes, British India, Austrian Lloyds, Orient, Star, Anchor, Rubattino and other lines traverse the Suez Canal as their fixed route, as well as hundreds of private and other vessels, and this universality of its use has led to the coining of the word "canaled" in reports on shipping movements. The five magnificent British Indian troop-ships, Malabar, Jumna, Euphrates, Serapis and Crocodile—all upward of 5,000 tons—use this canal during the trooping season, as also do the French troop-ships of a similar class. Rumors have arisen that ideas are afloat of an intention to widen the canal, but up to the present time nothing appears to be settled, and its present breadth is sufficient in most parts to admit of two vessels of average beam passing each other under weigh, with their yards braced up to prevent accidents, etc.

The general time occupied in transit from sea to sea is about sixteen or seventeen hours *actual* steaming; but this is, of course, subject to circumstances or incidental points, and it is considered advisable to enter the canal as early as possible after daybreak, as this insures being again out of its limits next morning about the same time, accidents not preventing or detaining. Such vessels whose duties call

them to Alexandria usually perform the passage in from sixteen to eighteen hours, the distance from Port Said to that place being about one hundred and sixty miles. To the traveler who passes through the Suez Canal for the first time it is of great interest. The peculiarity of the scene, of vessels of enormous size appearing as it were in the midst of the desert, and their number often fictitiously multiplied in the distance by the mirage; the calm stillness and freedom from noise or the commotion of a steamer when at sea. All that is heard is the captain's or pilot's orders, clearly and regularly given: "Star-board," "Steady," "Port," etc., and the response from the engine-room telegraph bell. Then an occasional tying up to allow a vessel to pass, and the rush to the side she passes upon to examine her closely, and mayhap scan her passengers' faces in hopes of recognizing an outward or homeward bound friend. A feeling exists of not wishing to lose anything of interest by going below till the last. "Stop her for the day" is heard, and she is made fast for the night, as vessels proceed after dark at their own, and not at the pilot's, risk. The canal passage is picturesque in the extreme at first sight to a new voyager, presenting, as it does, a unique spectacle in every way. The banks on either side present an uninteresting, desolate sight, being merely heaps of sand thrown up, and failing even to relieve the intense monotony of the vast expanse of sickly-looking sand, extending as far as the eye reaches. Here and there the view is broken by patches of dried-looking, rank foliage, and occasionally a pool of reddish stagnant water, intensely salt, relieves for a moment a view desolate in the extreme. An occasional group of half-starved dromedaries, tended by a few dirty-looking, but picturesquely-dressed, Bedouin Arabs, armed with spears or match-locks, are the only visible signs of life, while numerous bones and skeletons lying here and there tell a tale of hardships endured by their nomadic owners. The passage through the Bitter Lakes and Lake Timsah is more enlivening, as these are both fine tracts of water. Upon the latter lake stands Ismailia, called after Ismail Pasha. Here is an evidence of what taste and patient perseverance can accomplish, as what was once a barren waste has now become a fine town, well built, and laid out with avenues and groves of fruit and other trees, and the usual sequents of French enterprise—cafés, billiards, etc. Port Said, so-called after Said Pasha, has in like manner become a large enterprising town, with fine buildings and its consulates of every nation.

By the old traveler an intense feeling of relief is felt as he sees at

either end the masts of the shipping and the tall minarets of Suez in view, or the first glimpse of the magnificent lofty lighthouse of Port Said at the other end, for he now feels he will be soon again in blue water, breathing the fresh air of either sea once more after the baking heat and dust endured mayhap for nearly two days, and an inclination exists to go to sleep upon entering and awake only at the termination of the journey. The saving in distance between New York and Bombay by the canal route is 3,600 miles, as the voyage via the Cape is 11,520 miles, as against 7,920 miles by the canal. To England from Bombay there is a saving of 4,840 miles, the Cape route being 10,860 miles, as against 6,020 miles by the Suez Canal.

In the year 1880 the number of ships using the Suez Canal for the first three months of that year was 584, showing a revenue of 16,311,012 francs. In 1881, 680 ships, with fees to the amount of 12,518,598 francs, are reported for the same quarter, and in 1882, up to the end of the March quarter, 908 vessels, for an income of 11,186,440 francs, are shown. The gross earning for last year was £2,187,040, with a net profit of £987,120. Its use is steadily on the increase yearly, as will be seen from the following: In 1879, 1,477 ships, with a tonnage of 3,236,000 tons, passed through; in 1880, 2,026 ships, with 4,344,000 tons, canaled, and in 1881, 2,727 vessels, with a total tonnage of 5,794,000. The neutrality of the Suez Canal is guaranteed under solemn covenant, and it is only under certain unforeseen circumstances, it is presumed, that any action would be taken by a belligerent power, and then only for the good of the world at large. If any further proof is wanting as to the practical outcome of what was once only a theory, it is incidentally contained in the two letters borne on a flag with a blue ground, thus, "I. S.," which is flown over every office, station or vessel owned by the administration of the Isthme de Suez.

VICTOR M. HOLLINSWORTH.

THE SOUTH AND SOUTHERN QUESTIONS.

THE visitor at Atlanta during the Exposition saw the sunny side of the South. He was afforded, moreover, an excellent opportunity of observing many evidences of an alteration in affairs which plainly presages a coming change in the popular, or practi-

cal, politics of that section. It may be stated, as a preliminary fact, that the South has become very tired of "politics" as an only stock in trade. Politicians may prate as they please, but it is only the offices, and not the people, they either care or know about. During his stay in Georgia, and indeed throughout an extended trip South, the writer did not hear one word of politics spoken save in the exceptional cases where he himself sought an expression of the kind from prominent and representative persons. At the Exposition people from all parts of the Union fraternized, and fellow-citizens of opposite sections exchanged with their greetings mutual wishes for a better acquaintance, socially and commercially. Men from the New England States, and from Georgia, Alabama, and Louisiana, discussed the new ties that may truly be said to be forming themselves between the East and the South, in the light of an approaching alliance destined to be productive of vast and far-reaching results. The scene on the floors of the different buildings may not inappropriately be likened to the assemblage of a mutual admiration society on a national scale. The exhibits of the New England spinners, thread and silk manufacturers; the cereals of Kansas and the Northwest, and the precious minerals of Colorado and the far West, excited the wonderment and the admiration of Southern people. Northern people were equally interested in the products of the Southern soil, the coal, iron ores and other minerals of Tennessee, Georgia, Virginia and Alabama, and the timber of Tennessee and Alabama.

While King Cotton naturally and properly enough held undisputed sway at the Exposition, the elaborate exhibit for the first time of the magnificent mineral resources of the South formed, in the opinion of many, a feature of hardly less interest than the process of obtaining from the raw material, in a few hours' time, a finished suit of clothes for the Governor of Georgia. Manufacturers and capitalists present from the North and East were unanimously agreed that the South is sure to become the seat of extraordinary manufacturing enterprise. With everything in its favor in the way of fuel, ores, raw material and transportation, there is certain to be attracted southward an immigration of the industrial classes of the North, and from the Old World, which will satisfactorily solve the remaining problem of cheap labor. While commenting pleasantly on the changes to come with the advent of mines and manufactures, the New Englanders, with an eye ever to the main chance, did not fail, on every occasion afforded them, to impress upon their Southern friends the beauties—to the manu-

facturer—of a protective tariff. That was all right, and as it should be. All's fair in the loves and wars of a people's politics and a party's politics. Besides, the burden of proof to show cause why a protective tariff is unwise, as it is unjust, may be said to rest with the Free-Traders. In answer to the soft speeches of the Protectionists, tariff reformers must be ready to submit their side of a discussion which should be made to cover the whole ground of plain prohibition *versus* permanent protection, as applied not only to the sale at home of the manufactured fabrics of Southern mills, but to their sale in Mexico and Spanish America, where the policy of a retaliatory prohibition is something known and practiced, and to other economic questions affecting the general interests of Southern manufacturers. Nothing could be better for the whole country than that the advent of manufactures in the South should so arouse Free-Traders to a sense of their peril as international patriots—if I may be allowed that term—as to provoke a popular discussion of the tariff question on its merits.

Reverting to our subject matter, and to come to conclusions respecting the same, it is to be borne in mind that the supreme success of the International Cotton Exposition and New World's Fair was due primarily and principally to the interest and efforts of New England—to the cleverness and capital of the Yankee. It was this fact that contributed so much felicity to the numerous banquets held in Atlanta during the Exposition, and it is this fact which stamps with such significance the dawning of an industrial era in the South.

Similarity of interests between the manufacturers of the East and those of the South will tend to bring about similarity of ideas respecting the promotion and protection of those interests in common. The South will grow and progress in more ways than one, and an enlightened public sentiment will be fostered in other places beside the offices of the cotton factories, oil mills and sugar refineries. The Bourbonism of Southern politics, the responsibility for which rests with Southern politicians rather than with Southern people, must disappear; it will be blotted out, destroyed—*Delenda est Carthago!*

The South is on the eve of a political revolution. The change indicated above is to be one from sentiment to sense. A lover of the South and its people thus describes the political dead-lock now existing in that section: "Bourbonism is in control of the Democratic majority of votes cast or counted; ignorance and corruption in the main direct the disorganization of the Republican party, and reform and progress are at the mercy of Mahoneism." The writer wholly dissents

from the opinion that the Mahone movement, so-called, may be the means of bringing about this political revolution in the South. However desirable the end, it does not justify the employment of so miserable a means. The reason why Mahoneism will not succeed in overturning the political institutions of the South may be reduced to this much of fact: Because (1) it is necessary to the rise in the South of the Republican party, or any other party antagonistic to the Democratic party, that intelligence and wealth to an appreciable extent shall be enlisted on its side; and (2) that, with the spirit of repudiation dishonesty and political prostitution, the better classes of Southern society will never, under any circumstances, hold communion. Between the independence of Representative Felton, of Georgia, and John Hancock, of Texas, and such as they, and the methods and purposes of Mahone, there is a deal of difference, and it is to the credit of the Southern people that they very generally appreciate this difference. In the opinion that the Administration party of a decade hence—whether it be the Republican party or its successor—will have a strong and respectable following at the South, the writer fully concurs. Two things will have transpired: the one to admit of, the other to effect this. First, the dissolution of the Democratic party—that ancient organization of general opposition, alike to the enemy and to the inevitable, on traditionary principles. In the South, Democracy, dying, would quietly resolve itself back into its component parts, and Whig and Democrat, in the contrasted meaning of those two opposite terms, would be free to form, each, future political alliances to his liking. Second, the community of interest already apparent in localities between the Republican party or its successor in the service of the protectionists and the dominating circles of “The New South.” The Democratic party, which invariably after a time abandons every position it is pleased to take for a puerile policy’s sake in its kaleidoscopic platforms, has let go its hold on “A Tariff for Revenue Only.” The word “only” was first expunged, then “for revenue” followed after, and to-day it is a question for their respective constituencies to consider as to who is the “better Democrat,” Voorhees or Beck, Randall or Hurd.

Turn and twist as it may, the Democratic party can never be the official organization of the protectionists; for they have every reason to be satisfied with the present administration of affairs, and, in the event of the disruption of the Republican party, would do all in their power to have its mantle of patronage and power fall on the shoulders

of its natural successor, equally self-committed to the theories and doctrines of protection. Before a strictly revenue tariff can be made popular enough to decently support a national party at the polls, either the country must pass through a severe commercial crisis, attributable alone to the national curse of a protective tariff, or, what is but barely possible, Americans must become in some manner enlightened as they grow rich. In the meantime—aye, in the course of a few years—the manufacturing industries of the South, now fast leaping into life in Tennessee, Georgia, Alabama, Louisiana and Texas, will have contributed very much toward obliterating old lines and tracing new ones of political interest and attachment.

When in Atlanta, the writer called upon His Excellency, Governor Colquit. Georgia's present Governor is a fine-looking and well-spoken man, bearing a nearer personal resemblance to the Webster, Clay, Calhoun and Benton types of statesman and politician than any other public man in his State. Our conversation, in accordance with the evident wish of Governor Colquit; dealt mostly with industrial topics, introduced by the customary complimentary reference on my part, as a visitor from the North, to the Exposition then in progress. An opportunity, however, was given me of saying something to him, the honored head and distinguished representative of his party and people in the Empire State of the South, which had long been on my mind to say, "as a Northern Democrat." I begged to assure Governor Colquit that the South had more friends than the mere number of Democratic voters at the North. Said I: "To those who love the South it is a source of unbounded pleasure to contemplate the gradual extinguishment of the fires of sectionalism. Going from the politicians to the people, Republicans will be found as ready as Democrats to extend a friendly hand to the Southern brother. It was not sectional hatred which elected Garfield, although in the heat of the canvass the usual excesses of speech were indulged in on both sides. The Republican party was led to victory in 1880 because it had gained the confidence and earned the support of the commercial and manufacturing interests of the North. Manufacturers and monopolists, without regard to party ties, for which they care nothing, were opposed to a change in the political character of the Administration, and the money and influence which they put into the campaign as a business investment may be said to have carried the day for the Republican party's candidates. We Democrats of the North have never been able to aid you of the South at all. Our party leaders have given you

nothing in exchange for your votes except promises and pledges without end and without meaning. The plain truth is, sir, that the capital and enterprise of the North, the which you of the South most need, are practically controlled by the Republican party. And, sir, it is my firm belief that no few of the South's best friends are yet to be found among those who have heretofore been commonly classed as her bitterest enemies." The Governor discreetly avoided any discussion of what I had said in simple earnestness, but expressed his deep gratification at the many evidences called forth by the Exposition that bore out my assertion that the people of the North, irrespective of party, were never so friendly to the South as now.

There are to-day in the South no few among representative men who will not hesitate to declare that they have nothing to ask, and much less to hope for, from the Democratic party. They see clearly that the Democratic party lives but to perpetuate the reign of the Republican party. In order for eight to rule, it is only necessary that seven should remain united in opposition to that rule. Manifestly, to carry the simile further, so long as the *seven* wise men of Democracy stand—and fall—together on no issue save that of anything to beat or be beaten by the Republican party, the *eight* partners in the spoils of the latter, however disposed at times to be quarrelsome among themselves and to seek new alliances with some of the enemy, will be bound by ties of self-protection to present an undivided, and therefore invincible, front every four years at the polls. Charles O'Connor was right; he interpreted and understood the logic of events when he said that the Democratic party had outlived its usefulness, and could never again succeed. Tradition does not count in these days, and, if it did, would the traditionary principles of the Democratic party be of any great service to it to-day, as against or allied to its record? The number of men in the South who see and admit the force of Mr. O'Connor's reasoning is fast increasing. It is only natural that this should be so. Does any thinking person suppose that the capitalist, the manufacturer, of the South will be less ready to seek political alliances based on considerations of personal interest than the capitalist and the manufacturer of the North? Then there are those in the South with whom principle is not solely selfish, who have utterly lost faith in the Democratic party as an organization capable of achieving success in the first place, and which, if it ever could succeed in fastening its talons on the offices of the country, would promote and prosecute a reform policy in the thorough revision of the tariff. The South is

throwing off its self-imposed yoke of servility to Democratic Bourbonism. In the near future we shall see that people South, the same as people North, will attach themselves to the opposing political forces of the time for like reasons and under similar conditions.

The Southern Whigs are Democrats only in name. They are so-called, and have so classed themselves, by reason of an affiliation it brought about by the war, and maintained after, owing to the reconstruction measures of a party that made the fatal mistake of founding its fabric of political power in the Southern States on the sands of ignorance and depravity. It was simply impossible, under the circumstances, for Whigs, in common with all disfranchised whites, not to turn instinctively to the local Democratic organization. Upon the suppression and virtual nullification of the negro vote—an act, or series of acts, which certainly had the moral support of a plundered people—the Democratic party in the South came into possession of an absolutism, locally or provincially, which gave birth to the bugbear of “A Solid South.” The Whigs, almost to a man, and many conservative Democrats, were opposed to secession, and only succumbed, much as the citizens of any State, North or South, would have done at that time, before a great civil war had put an eternal quietus to the miserable ideality of States’ Rights, after a prolonged and fruitless resistance to the frenzied pressure of a mad moment. They who had “gone with their States” reluctantly, but had made the best fighters in the field, stood ready at the close of the war to accept in the manliest spirit the stern conditions of an adverse arbitrament of arms. It was the buzzards of national politics that made “A Fool’s Errand” of what might have been a mission of the Republican party grander than the subjugation of the South—the reconstruction by proper restorative methods of the States whose rebellion ended with the surrender of their several sovereignties and Confederate Government. An interview held by the writer with a prominent judge on the Georgia bench may serve to shed additional light on the subject, and will prove of interest in this connection. His views were expressed about as follows: “I was brought up a Whig, and my father was an old-line Whig before me. We Whigs always had a warm love for the Union, and were strongly opposed to secession. Had the question of secession been put to a popular vote in Georgia, it never would have carried. I was a member of the ‘Secession Convention,’ as it is called. That convention, sir, was at the outset an anti-secession body, the majority against the resolution

being at one time thirty-eight votes. It looked at first as if Georgia would not withdraw in any such haste as the hot-heads expected, and the wits of the latter were industriously set to work to arouse every spark of latent State pride in our breasts. Georgians were called on to resent the indignities alleged to have been perpetrated by the Federal Government, and all manner of fiery, impassioned appeal was resorted to. Well, sir, *out* we went, and, to come at once to what I want to say, at the conclusion of the war we who had previously fought secession were disposed to philosophically accept the situation, and obtain the best terms we could on which to reënter and remain *in* the Union. The South has very generously been credited with exhibiting as much genuine sorrow and indignation over the assassination of President Garfield as the North. Let me tell you, sir, that the assassination of President Lincoln, was to my mind, and at the time of its occurrence, an even greater calamity to the common country, and to the South in particular an irreparable loss. Abraham Lincoln's sincerity and honesty of purpose had by degrees impressed themselves on the minds of those in the South who had taken time to think of the consequences of the Rebellion's failure. Whigs and conservative classes generally who had property interests at stake, felt a confidence in Mr. Lincoln's sense of justice, and trusted no little to his generosity as a victor. Now it may seem strange to you, but we had no such confidence in Andy Johnson, who was looked on, whether unfairly or not, as a renegade, being a Southern-born man. Lincoln would have been accorded our hearty support, because he would have reached our honest manhood by choosing his own time and adopting his own way in the restoration of our rights under the Constitution. We would have said to the Hectors of the South: 'See here, it was you fellows that plunged us into war, and we propose to follow our own lead hereafter. You must stand back, and let older and wiser men than most of you are speak for the South in this her hour of extremity.' That is the way we should have talked, and the way we would have felt and acted. I believe with all my heart that Lincoln's policy of reconstruction would have been so ordered as to have secured the cordial coöperation of the better classes, the property holders, of the South, and that he would have built up an Administration party in Georgia, and in every other Southern State. Why, sir, had he lived, the old war sores would have been healed by the time of his triumphant reëlection again, after eight years in the White House, with no fear of the Cæsarism of a third term before the

eyes of a reunited people." The writer maintains that men who stood with Judge ——, just before and just after the war, stand to-day where they can be reached for present purposes of a political reconstruction of the South, it being a question only of means to be employed in order to interest and enlist them. It remains for the future to determine whether it will be possible for the Republican party to have so divested itself of the sectionalism clinging in spots to its skirts as to be able to recruit its ranks in the South on the merits of its financial record and tariff position. If the tariff can be made to play the important part it deserves to have in the coming contests of the American stump there will be opposed to the Republican party, or its successor, an organization other than the Democratic party, honestly and fairly committed to a tariff for revenue only. Of these two parties, it is a reasonable presumption that, in the newly-created manufacturing States of the South, the one favoring and upholding a protective tariff would attain an ascendancy.

The South is satisfied—supremely so—with the abolition of slavery. In affirmation of a fact now so universally acknowledged to be true, there would ordinarily need but little to be said. The writer would, however, present, in the light of interesting information from an authoritative source, the views of an eminent citizen of Georgia, who holds positive, not to say peculiar, opinions of his own on the subject. In reply to interrogatories, this gentleman substantially said: "We of the South are profoundly thankful that the institution of slavery has been abolished. It did seem hard at first to part with our slaves for no money consideration; but, in the light of to-day, I am ready to declare that it was a cheap enough bargain with Providence. In 1776 there were not to exceed half a million (500,000) slaves in the colonies. In 1808, owing to the righteous wrath of public sentiment, the importation of slaves was prohibited, and the nefarious business of the African coast trader was at an end, so far as a market in the Southern States was concerned. Yet in 1860 there were four million (4,000,000) slaves in the South. This enormous increase of 700 per cent. in less than the cycle of a century was due, then, chiefly to natural causes. Upon examination it will be found to be the fact—sometimes overlooked by our Northern friends—that it was a natural, reasonable corollary of the proposition that it was to the interest of the planter to keep his slaves in good condition; that the negro in slavery should be well fed, comfortably clothed, and, in respect of his general health and ordinary happiness, be given an occasional needful

opportunity for relaxation and repose. Considerations of this character were too closely allied to the property interests of the proprietor to be ignored through intent. Under the owner's watchful eye, the unnatural suppression of births, such as is alleged to be of common commission in the upper circles of polite society in the great cities of this country, was not known. On being born, a child was estimated to represent a cash value of not less than one hundred dollars (\$100) to its legal owner, who saw, as a matter of course, that the proper medical attention and nursing were afforded the mother. The female negro was far more prolific then than now, and for obvious reasons. Let me get back into figures again, starting with the supposition that the slavery question had been settled by a compromise of some sort, the war had not taken place, and that things in the South had been allowed to remain as they were. Now, making a liberal allowance for the difference in increase up to the time of the prohibition of the importing slave trade, we can safely estimate the number of slaves in the year 1900 at twenty millions (20,000,000). Completing the period of one hundred years from the year when slavery as an institution was seized upon as a 'lofty instrument of war,' we may well shrink appalled from the startling significance of what would have been the total number of slaves in the South in the year 1960, it being nearly one million more than an hundred millions (100,000,000). What do these figures portend—what can they but signify? Their one meaning is plain—terribly so. It is this: In time, letting that time take its natural course, the slave classes would have outnumbered, overwhelmed, the whites to the extent of an *Africanization* of the South. Prosperous and proud, the South did not for an instant dream of the other and greater dangers than those of the threatened conflict with the North that beset her path. Already before the war the small farmers, classed indiscriminately as poor whites, had become migratory, being virtually driven off when coming in too close proximity to the large plantations, gradually growing larger by purchase, inheritance or otherwise. The children of the wealthy planter were educated North or abroad, and the upper classes had their own churches. The poor white had neither school nor church, and was either willing or forced to sell his few acres, which were thereupon added to some adjoining plantation. The time would surely have come when not only would the children of the property-holding South have been sent away to school, but when their parents would have moved North—or, what is more likely, to England and con-

tinental Europe—for the society of cultivated whites, denied them at home save in instances becoming more and more isolated. Affairs on the plantations would be left wholly to agents; the meager white population would be confined to the towns; State Governments would grow weakened in consequence of the virtual withdrawal of the wealthy and intelligent classes, and, not to dwell more at length on the subject, it will not, I apprehend, be difficult for you to follow me to the inevitable and irresistible conclusion that finally there would come an uprising of the blacks, precipitating a state of anarchy. This appalling Africanization of the South would have baffled the wits of national legislation as no issue, no crisis, in the history of the Republic has ever done.”

The subject is hardly one perhaps to awaken discussion in the busy to-day, which deals so sparingly with the speculative save as to the future. Yet to the curious and to the contemplative, the theory of the eminent Georgian may invite investigation. Statistics unquestionably may be brought forward by that gentleman in support of his statements and belief. Exclusive of the States of Kentucky, Tennessee, Missouri, Arkansas and Texas, the white population of the South in 1860 was 3,896,625. The census of 1870, being manifestly incorrect on Southern population, cannot be considered, but the census of 1880 shows in the same section a white population of 5,287,774. This is a gain in twenty years—the second ten of which were recuperative years—of but 26 per cent. and a slight fraction. Assuming this per cent. of gain to have been true of slavery times, had the latter continued, and that the same per cent. of increase, under the future existence of slavery as supposed, had repeated itself once in every twenty years for a hundred, the white population in 1960 would have been 13,327,735, not allowing for any absenteeism on the part of the planters or for the thinning out of the poorer whites. The Georgia gentleman's figures of slave population made the number of slaves in the entire South in 1960 to be 100,000,000, which may be taken as a fair estimate. If we except the above-named States from this calculation—they being situated differently from the rest of the South with regard to any aspect of the future of slavery—the estimate should still extend to about 95,000,000. This frightful disparity in white and colored populations, which it is safe to say would have been brought about under the conditions of slavery, is strikingly suggestive of the perils of a black commune. It is little cause for wonder that thinking men in the South should be found to-day to be express-

ing the characteristic sentiments of the Georgian we have quoted, and who has furnished another reason than the many to be seen to-day on every hand throughout "The New South" why the South is satisfied with the abolition of slavery.

The abolition of slavery, a humane act, justifying war, was followed by the immediate investiture of the ex-slave with full powers of a citizenship alike beyond his comprehension and his control—an act of the political juggler, which, instead of settling a question, presented a new and vexatious problem. The negro question remains an open one, it having so far baffled the statesmanship and political wisdom of the country. In the States of South Carolina, Mississippi and Louisiana, the blacks yet outnumber the whites. Obviously in these three commonwealths a division of the white vote is the only guarantee that the provisions of the XIVth and XVth Amendments shall, may, or can, be carried out in practical faith. More than that, it is the only guarantee which can in self-defense be given, which should in honor be asked. The negro is likely to remain for an indefinite time either the slave or the tool of his party master. The division of the white vote will again advance the price of the colored brother's ballot, not indeed to the unstable value, above white par, which it attained immediately after the war, but to a point happily within bounds which will effectually preserve this species of purchasable political property from the violence of the bulldozer. The exodus of the negroes from South to North, considered in any light as a cure, would be worse than the cause. Admitting the desirability of decimating—or of halving, perhaps—the negro population in certain politically "overcrowded" counties in South Carolina, Alabama and Mississippi, serves but to emphasize, upon examination, the fact that an exodus to Kansas and Nebraska is impracticable as a means to compass such end. The Southern negro, full grown and of the age of political maturity, will not bear transplanting from his sunny latitudes into the cold climate of the Western prairie States without serious injury to his capabilities of common citizenship and for earning an honest livelihood. It seems to be an undoubted fact that there are numbers larger in some localities than in others, of the negroes who themselves desire to leave their old homes. They are discontented, some with the high rents, others with their paltry proceeds from the share system of raising cotton, some with the stock law in South Carolina, others, again, with other laws in other States, and all of them perplexed and petulant at their practical deprivation of political rights, which they

had been taught all too soon to regard as a means of mastery over their old owners, whereby they should secure the pecuniary profits accruing by the act of their enfranchisement, to be paid out of the public purse. The negroes should be saved from their false friends, who may or may not have selfish ends and inhuman purposes in view when they represent Kansas to be a land of milk and honey, the pure cream and the essential extract whereof are providentially provided in plenty for the negro outcasts from the South.

If the negro must move from South Carolina, let him go to Texas—a Southern State, where there is land in plenty, a genial climate, a productive soil, and room for all. The Black, as well as the White, is welcome and is wanted for the work there is to do in the Lone Star State, on the plantations and the railroads. It is not probable, however, that the exodus of the negro population, even from South Carolina, will ever amount to as much as a decimation in any single State of its colored people. The colored vote, as a brute political force, will be broken the day it is apparent, from a fairly even division of the white ranks, that not again may a victory won with black ballots be wholly a surrender of the spoils of office into the hands of the negroes and their personal leaders. For, if the whole negro vote should go to a half of the white vote, as divided, it is clear that the offices and government would be monopolized, or nearly so, by the Caucasian element. Hence personal objects among the negroes would be served better, and indeed only, by the division of their strength, which, while solid as an instrument, is stolid as a force. Except in isolated instances, it may be safely stated that the colored laborer, the colored farmer, the colored citizen, is wanted as much in South Carolina as in Texas, and is free to remain and to prosper in every Southern State. *Per contra*, the negro is not wanted in the Northern States. He is surer to succeed as a free citizen South, where he is known better, and at bottom liked better. Negro farmers are not unknown, even now, in any Southern State, and in the Southern cities one occasionally comes across a negro carpenter and wood-worker, a negro mechanic, a negro shoemaker, and negro employés in trusted positions of various kinds.

The agricultural South, however, has the most to offer the negroes as a class, having indeed no other like resource. The negro basks, and can work as well, all day in the sun, where a white man would be prostrated by simple exposure for an hour. Colored labor is especially adapted to the cotton field, and has only itself to blame, as a rule,

if it is not always in demand there, at a premium above white labor. It is only when negroes attempt to force the planter to pay more for picking the crop than the usual and proper price, which is far in excess of the wages earned by intelligent farm labor North, and in ignorant retaliation for his refusal to be thus "bulldozed" in a matter of dollars and cents, suddenly stop work in the busiest of the picking season, that they are not wanted. The intimidation of a white planter by his colored field hands, if successfully practiced by the latter for a few seasons, will very naturally contribute to the *morale*, so to speak, of race prejudice and hatred of the "nigger." Economic questions may be left to adjust themselves, and nothing is more certain than that colored labor will reach its level, without falling below, and that its proper compensation may be relied on to follow and to further fix its stability.

The negro question or problem is not incapable of satisfactory solution. Its agitation will be brought to an end, its settlement will come, with the vigorous treatment of Southern questions—broader than ever raised in either ante-bellum days or reconstruction days—by Southern statesmen, and from a Southern standpoint.

LAUREN DUNLAP.

INFLUENCE OF FOREIGN ISSUES ON AMERICAN POLITICS.

THE United States has three foreign or quasi-foreign questions engrafted upon its domestic politics, and until these have been got rid of it will be difficult, if not absolutely impossible, to adopt a purely national American policy. This result has been brought about in great measure by the vast foreign immigration which it has been the policy of the country to encourage; but it presents, nevertheless, the most difficult problem in practical politics which American statesmanship is called upon to solve at the present time. And the longer the final settlement is postponed the more difficult will it become. It is the purpose of this article to present a few thoughts upon this important question for consideration by American citizens, without respect of race, descent or party affiliation.

Taking these disturbing foreign issues in the order of their relative

importance, we have, first, Mormonism; second, Chinese immigration, residence and competition; third, and greatest of all, the American-Irish question. Of the two first it is only proposed to speak incidentally. Both are in course of solution. The Edmunds bill struck a direct blow at Mormonism, but everything will depend upon its application. Mormonism is an unhealthy tumor in the body politic, and requires heroic treatment. Its removal is absolutely certain if the foreign element could be excluded. As a matter of fact, the strength of Mormonism lies in its foreign recruits, who know nothing either practically or theoretically of American institutions, and who are therefore indifferent to the civil disabilities imposed upon polygamists by the Edmunds bill.¹ An American will not take long time to decide between adherence to the tenets of the Mormon Church, involving forfeiture of civil rights, and the reverse. Whatever may be his special religious craze, he is, first of all, an American citizen. It is, therefore, certain that if foreign converts to Mormonism were prevented going to Utah, as they certainly might be, the Mormon organization would soon fall to pieces under the operation of the statute referred to. Mr. Secretary Evarts saw this point clearly in advance of congressional action, and the policy of his circular on Mormon immigration might very properly be embodied in a law, and so complete the legal work designed for the overthrow of the Mormon oligarchy. Upon grounds of public policy the exclusion of an undesirable class of immigrants is justifiable; but there is a precedent of recent date which fits the case. A law has been enacted excluding Chinese laborers of every degree of skill for ten years, because Chinamen are non-assimilative, and do not conform to the laws and customs of the country. In degree this is also true of Mormon perverts from abroad. They come here of set purpose to violate our most cherished usages, and trample upon the institutions of the country. It is a cardinal point in their religious belief to degrade the sacred obligations of marriage, and to subvert all that is chaste and beautiful in the family relation. Why should the United States, therefore, be open to a Mormon invasion from Europe and closed against a coolie invasion from China? Upon strict moral

¹ The Chicago *Inter Ocean* of May 31 described a party of Mormon proselytes, about four hundred strong, who passed through on the cars for Utah the previous day. These were gathered by Mormon missionaries in England and Wales, Scotland and Germany. One of the missionaries stated that eight hundred Mormons would reach New York in June from Europe, and that next September four hundred additional were expected. The Mormon missionary work is being vigorously prosecuted in the United Kingdom more especially.

grounds, one class of immigrants is as undesirable as the other; and, both coming unasked, it is clearly in the discretion of Congress to say whether they should be admitted or not. Of course, the economic objections to Chinese immigration do not apply to Mormons, for it must be admitted that the industrial methods of the Mormons in Utah have been eminently conducive to the development of a wide area which but for them would still be a wilderness. The Mormons have been pioneers; the Chinese are only gleaners after civilization. But the suppression of polygamy and the overthrow of the power of the Mormon priesthood will not retard the industrial progress of Utah.

The chief drawback of the Mormon and Chinese questions, viewed in the light of practical politics, is that they interpose disturbing elements into domestic affairs. They serve to keep up an irritating and distracting agitation, which sometimes assumes a serious aspect, and thus prevent the American people applying themselves calmly and deliberately to the consideration of great social and economic questions which are pressing for solution. For this reason alone it is most desirable that a speedy determination of the Mormon and Chinese questions be had. In all probability it will be found that the initial measures which have been taken in either case will not prove thoroughly effective; and, if so, no sentimental scruples should stand in the way of more stringent enactments. Comprehensive domestic legislation can never be satisfactorily undertaken by Congress until every foreign issue has been removed from the field of national politics. This no doubt involves the application of a policy of national defense, so to speak, at variance with the somewhat prevalent theory that the United States of America is the common dumping-ground of the nations, and that the right of American citizenship is inherent in all races under heaven, without reference to their civilization, education or moral status. The time has come, however, when public safety demands that a clear-cut national policy in regard to immigration and citizenship should be adopted, because recent events in Ireland, and in this country also, very forcibly present the fact that American citizenship may be made use of for purposes widely at variance with those for which it is conferred upon aliens.

This remark naturally brings us to the third foreign issue which has been engrafted upon American politics—the American-Irish question. It is altogether different from the issues already considered. It is purely political, raising in this country at present neither industrial, social nor religious considerations, although indefinitely capable of all

three. The Irish immigrant is, according to the measure of his early training, a valuable addition to the population. He is antipathetic to the Chinese, and, to do him justice, he loathes the Mormon heresy. Polygamy makes no converts among the Irish peasantry. Whatever may be their faults of character, their love of family, veneration for the Christian faith, and respect for the marriage vow, make amends for many blemishes. And they have implanted their faults and their virtues so deeply in the free soil of America that they give tone and character in many ways to its municipal institutions. The American-Irish question, therefore, cannot be dealt with by a process of law such as has been applied to the Chinese and Mormon questions, were legislation in that direction desirable. It could not be disposed of by coercion, as the other issues may be. The Chinese are a wen upon the productive industry of the Pacific slope, which is draining its life-blood; the wen may be removed and healthy circulation restored. But the legislative knife in no conceivable case could be applied to the American-Irish question. It is founded upon sentiment, and Irish sentiment cannot be expurgated by law, as the history of British rule in Ireland abundantly shows. Moreover, the Irish race deserves well of the United States. No more loyal citizens exist than those of Irish birth, and Irishmen have freely shed their blood in defense of the American flag upon every battle-field on this continent.

For this reason the solution of the American-Irish problem is exceedingly difficult, and this difficulty has been increased by the action of Congress and the pronounced attitude of prominent citizens and leaders of thought in the nation. When the House of Representatives invited Mr. Parnell to deliver an address on the Irish land question before it, and, as part of the proceedings of the day, it made Home Rule for Ireland and the Irish Land League policy an American question, ranging itself on the side of Irish nationalists against the British Government, with which the United States is at peace. This is especially shown by the official report in the *Congressional Record*, pages 393, 664-5, January 19 and February 2, 1880.¹ A proceeding

¹ On January 19, 1880, Speaker Randall read a letter from the Committee of Invitations of the Clan-na-Gael Association, inviting the House to attend an address to be delivered in Washington on Irish affairs by Mr. Parnell. Mr. Young, of Ohio, moved that the invitation be accepted; whereupon Mr. Cox, of New York, moved the following addition: "In response to the invitation just presented and accepted, requesting the House to take part in the ceremonies to be observed in the reception of Mr. Charles Stewart Parnell, a representative of the Irish people, for the delivery of an address on Irish affairs, and because of the great interest which the people of the United States take in the condition of Ireland,

so unusual, and so utterly at variance with international comity, must have been prompted by something stronger than curiosity or sympathy with a substantial Irish grievance. The motive appears to have been well understood in England; hence no remonstrance came from the British Government, the utter prostration of the revolutionary party in Ireland depriving the attitude of Congress of any semblance of international menace, although it was not without great international significance. A similar demonstration on behalf of Cuba during the revolutionary epoch would assuredly have led to a rupture with Spain, which is much weaker, but not more jealous of its honor, than England; but the Cuban Republic had an army in the field and an organized government, whereas the Irish nationalists had not even the ghost of a military force at their disposal.

It would be misleading to say, however, that, because no official notice was taken of the espousal of Mr. Parnell's Land League policy by the House of Representatives, the Government of England did not feel aggrieved. English statesmen knew that without American aid and countenance the land agitation in Ireland would die out, as other agitations had done before it; and they must have anxiously calculated the impetus which the declaration of the House in its favor necessarily gave to the anti-British movement in Ireland. The accuracy of this supposition is shown by the course of the Administration in its duplex policy of coddling and coercion in Ireland, which culminated in the Phoenix Park tragedy. That the House had no sinister thought regarding England is beyond doubt, whatever a few members may individually have felt. All that is grand and noble and of good repute in America comes from the cradle of the Anglo-Saxon race on English soil. The English are bone of our bone and flesh of our flesh. Americans inherit the glory of their grand achievements in arms, art, science, literature and religion. American love of liberty is inherited from English ancestors. Our laws and institutions follow the English model. Therefore, while the House of Representatives sympathized with Irish tenant farmers under an exceptionally

with which this country is so closely allied by many historic and kindred ties, therefore, be it resolved, that the hall of this House be granted for above purposes on the second day of February next, and that the House meet on that day and date to take part in said ceremonies." This resolution was adopted without division, Mr. Cox having shut off debate by demanding the previous question, but he did not prevent Mr. Steele, of North Carolina, saying that, although he had very great sympathy with the Irish race, and every other race on the face of the earth, he thought that to adopt the resolution would be to establish a very bad precedent.

bad land system, it could not possibly contemplate weakening the authority of England, or dismembering the British Empire. England is the great market for the surplus products of America; so that, putting it upon the low plane of self-interest, it would not pay to quarrel with Great Britain over an Irish grievance. But "the Irish vote" is a powerful factor in American politics, and neither of the great national parties could afford to offend it by offering even a show of opposition to the questionable ovation to Mr. Parnell. To stand well with the Irish vote, therefore, the House did a most unwise act, which may yet make its influence felt upon domestic affairs in an unexpected manner at an unlooked-for occasion.

The mischief has been done, however. Irish politics have been engrafted upon American politics. The Land League has been formally indorsed, and its methods approved, the point of Mr. Parnell's speech being that absolute individual ownership of land is an unjust and immoral usurpation. This doctrine he fortified by a quotation from Mr. Froude; and in the course of his remarks he sneered at "the rights of property," "vested interests," and "individual ownership." [*Vide* report in *Congressional Record*.] His address received the tacit approval of the House. Money has since then been liberally subscribed in all parts of the Union, and forwarded without question or voucher or request for accounting to the treasurer of the Land League, who resides, for his own convenience, in Paris. Land leagues have been formed in every city and considerable town in the Union to raise money to carry on the social war against England; and at many of these meetings the most atrocious and bloodthirsty sentiments have been uttered. The most advanced communistic theories are advocated, and, although their application for the nonce is to be in Ireland, they are equally of universal application, and might quite as reasonably be directed against landowners in the United States. And herein lies the pregnant danger to our social system from the American-Irish question. It is certain to come home to this country should an upheaval of the masses take place, unless wise and vigorous statesmanship meantime exorcise this demon of universal confiscation and plunder.

It would be unfair to hold either the Republican or Democratic parties morally responsible for the outrages committed in Ireland since February 2, 1880, when the House of Representatives threw the mantle of American sovereignty over Irish disaffection; nor should the majority of land leaguers in this country be suspected of sympathy

with those crimes; but when men subscribe their money to sustain a social and economic struggle in Ireland, the active participants in which adopt the maiming of dumb animals and the mutilation and murder of inoffensive men and women as aggressive weapons, it is their bounden duty to declare not only their abhorrence of such deeds, but their fixed purpose not to contribute another cent until the criminals are surrendered to justice, and have been convicted upon proof of guilt. The brutal terrorism which exists in Ireland through the action of secret societies to coerce the British Government into confiscating the land and bestowing it upon the present occupiers would not be tolerated in America for a day. It would be ruthlessly stamped out; yet this terrorism is fostered and fed by funds raised in America. If the American-Irish land leagues chose to act in this matter, they could repress outrages in Ireland by a stroke of the pen. They have only to stop supplies, and the thing is done. As this would deprive the British Government of all pretense for coercion, the wonder is that the plan has not been adopted long ago. That it has not even been suggested, is one of those omissions which puzzle all disinterested people who would be pleased to see the Irish land question equitably settled, and Ireland prosperous and happy.

But it is with the resultant action upon American affairs that we are more especially concerned. The principles of the Land League, with their "no rent" corollary, having been adopted as a basis of agitation in this country, it becomes the part of true statesmanship to consider whither it leads. It is impossible to foresee all the consequences of this movement in its bearing upon vested rights in the United States. Manifestly the principle which has taken such entire possession of millions in America is in direct antagonism to the constitutional maxim that the obligation of a contract shall not be impaired. If the American Republic were a disinterested spectator of the Anglo-Irish quarrel, the principles involved might be philosophically considered; but this is not its position. It is tied to the Land League chariot, and it is incumbent upon Americans to ascertain exactly where the charioteer is driving, and when he is likely to draw rein.

In this view of the question Irish landlordism cuts but a sorry figure. The issue affects every property-owner in the Union. It will not do to say that American citizens are educated, and respect the rights of property. The basis of our political system is manhood suffrage, and the door of citizenship is flung open to every race save the Chinese. Experience proves that every corrupt ring can count upon

the votes of that very class which shouts itself hoarse at Land League meetings and applauds the doctrine of universal plunder. This vast sink of citizenship is not educated; it is not moral; it is without patriotism in the higher sense; and it is always and at all times amenable to corrupt influences. A crisis might arise in the history of the Republic when this venal vote would be cast to subvert the Constitution. There are not wanting signs that such a crisis is impending. It is not an immediate danger, however, and if the great middle and producing classes are true to themselves it may be wholly averted; but the danger to the Republic is from a combination between the abnormally rich, who are not in sympathy with republican institutions, and the poor and vicious, who are always anxious for social disturbance and change. In the meantime the American-Irish party has become an important factor in American politics, and may, if it pleases, hold the balance of power in the coming presidential campaign. It is thoroughly organized, perfectly disciplined, skillfully led, and, above all, it knows its own mind and purposes. And those purposes are paramount. American politics will be made subservient to them, and compacts will be forced upon party leaders, however distasteful such alliances may be. It is the penalty American politicians must pay for creating the American-Irish party. American citizens in verity should ponder the possibilities of this agitation for confiscation in Ireland in its relation to their own political system. If they do, they will take a widely different view of it from that which has heretofore been popular. They will perceive in it not merely a menace to property rights, but to popular institutions also.

Looking to the future of parties in this country, and to the rapid spread of communistic ideas, it will be most unfortunate should the true American people encourage further an agitation which is directed against property rights and legitimate government. They cannot themselves escape the consequences of such encouragement. Those who play with fire are usually burnt. Instead of sympathizing with Irish irreconcilables, they should sympathize with the great statesman who has undertaken the almost hopeless task of setting Irish land tenure upon an equitable basis. The United States should lend its moral support to Mr. Gladstone, and not to those who would prolong anarchy in Ireland to break down British rule, which is the rule of law, if Ireland would only be content with constitutional reforms. A conservative demonstration in this direction by Americans would strike dismay into the ranks of alien agitators, who hope to dictate the

policy of the United States, as well as to embarrass and weaken its British ally. A great country like this cannot afford to make its government the plaything of popular caprice or the prize of a reckless political combination with the degraded foreign element among its citizens. Neither can it afford to postpone indefinitely the consideration of those higher problems of civil government which press upon it from all sections of its continental area, consequent upon abnormal industrial conditions. There are social and economic questions of the highest importance waiting solution. Finance and trade need regulation, as well as the difficult question of transportation, and the equally difficult and not less important one of the relations of capital and labor. But how can any of these questions be calmly considered while the air is filled with a Babel of tongues discussing foreign issues which of right concern not the United States? It is manifestly impossible to do so, more especially as these foreign issues have been imported into domestic affairs. The only feasible way out of the difficulty appears to be to intimate quietly, but firmly, to naturalized citizens that the grievances of their mother country should be discussed there, and not here; and that if Irishmen want to fight England they should make Ireland their campaigning ground, and not abuse the hospitality of America by attacking a friendly power under the protection of the American flag.

ROBERT J. CREIGHTON.

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CHARLES OSBORN'S PLACE IN ANTI-SLAVERY
HISTORY.

THE paper of the Hon. George W. Julian, in "The International Review" for June, the object of which is to prove that "the current of anti-slavery history has been diverted into a false channel," and that thus injustice has been done to a man who bore the name of Charles Osborn, while undeserved honor has been bestowed upon Benjamin Lundy and William Lloyd Garrison, has created no little surprise—I may even say astonishment—among those who have hitherto thought themselves well informed as to the genesis of modern abolitionism. In opposition, as he confesses, to "our current histories and manuals," Mr. Julian insists that Mr. Osborn was eleven years before Elizabeth Heyrick and fifteen years before Garrison in proclaiming the doctrine of immediate and unconditional emancipation, and that he, and not Benjamin Lundy, edited and published the first anti-slavery newspaper in the United States.

I quite agree with Mr. Julian in thinking that his statements, "if true, should be so recognized," and that the story of the anti-slavery conflict "should be made thoroughly accurate and trustworthy." As one of the writers whose accuracy and trustworthiness he has ventured to impeach, and whom he accuses, in so many words, of "making history bear false witness," it would seem to be incumbent upon me either to defend myself or make open confession that the charge is true. If Horace Greeley or Henry Wilson were here to vindicate what they, in common with myself, have presented to the world as

authentic history, there would be little need for me to speak. As it is, I cannot find any excuse for remaining silent. Let it not, however, be for a moment supposed that what I am about to say is dictated by any prejudice or personal feeling, or that I would for one moment hesitate to accept Mr. Julian's statements if they were duly authenticated. I reject them solely for reasons which I believe will commend themselves to the judgment of all impartial men, and, I would fain hope, to Mr. Julian himself, who seems not to have clearly understood the question at issue, or known just how to weigh the evidence in the case, while in respect to some of his witnesses he is the victim of a credulity more amiable than discriminating or judicious.

Mr. Julian very properly divides the anti-slavery movement of this country into "two dispensations," of which the first had its beginning soon after the introduction of slavery into the colonies, and the second within the present century. The question between him and myself relates to the essential difference between these two dispensations, and to the point of time when the one ended and the other began. The difference to which I refer is found in the fact that the first dispensation contemplated a gradual abolition of slavery, while the second had for its animating principle the postulate of immediate and unconditional emancipation—in other words, emancipation upon the soil, without expatriation or segregation. The difference, it will be seen, is of the highest importance. It explains why the first dispensation was a failure and the second a success. In the early days of the Republic the opponents of slavery were paralyzed by the strange delusion that to set free at once any large body of slaves would expose the masters and their families to a bloody vengeance. The slaveholders did what they could to foster this delusion, for they saw in it, while it should last, a sure protection for their system. The emancipation of a few slaves at a time, under carefully arranged conditions, might be safe; but the great augmenting body must remain in bondage until they could be "fitted for freedom;" which was very much like saying that men should be consigned to an exhausted receiver until they are fitted to breathe. Thus the sincere opponents of slavery became its most effective apologists and defenders. They threw away "the staff of accomplishment," and made themselves weak as water. The delusion I have named reared itself in their path like a dead wall before an advancing army, too high to be scaled and too thick to be breached. What could they do but fall back in disorder, their arms unnerved and powerless—their hearts fainting from despair!

The second dispensation was imbued with an invincible power from the very start. It branded slavery as a sin under all circumstances, and demanded immediate and unconditional emancipation for all the slaves. The slaveholders, who had long heard the talk about gradualism, and been rather annoyed than alarmed, were now thoroughly aroused and indignant. Looking into each other's faces, blanched with fear, they asked, "What does this mean? Here is a man who allows no excuse or palliation for slavery, but demands its instant extirpation. He must be silenced, or all is lost." In spite of opposition, the new voice grew clearer and firmer, and men began to say, "It is the voice of a prophet." Thus the second dispensation, founded upon a principle which could not be successfully refuted, rapidly gathered to itself the moral forces of the country, and marched steadily and surely forward to success. Current history affirms that this dispensation began with Garrison, in 1829; Mr. Julian insists that it began with Charles Osborn, in 1814, in Tennessee. Strangely enough, it is not pretended that there is a scrap of proof from Mr. Osborn's own pen to support this affirmation, or show that he ever set up such a claim for himself, or imagined that anybody else would ever set it up in his behalf. On the other hand, I am able to say, upon the authority of Mr. Garrison himself, that when *he* first announced the doctrine of immediate emancipation he was not aware that it had ever been distinctly enunciated by anyone else. He had not even heard of Elizabeth Heyrick's announcement of the doctrine in England, which is not strange, considering how little American journalists of that day permitted their readers to know of the progress of the anti-slavery movement over there. Information on that subject was generally suppressed in deference to the sensitiveness of American slaveholders, and lest, if it were given in too great abundance, it might kindle a dangerous moral conflagration here. If any person in the United States before that time had called for immediate, in distinction from gradual, emancipation, Mr. Garrison was ignorant of the fact; and certainly the storm of ridicule and indignation which met the announcement when made by himself was not calculated to impress him with the conviction that the principle was familiar to the American mind. On the contrary, it was treated as a fanaticism unheard of before, and too preposterous to be for one moment tolerated by sensible men. Not a soul appeared in any quarter at that time to claim that he had taught Mr. Garrison his lesson. No honors were then to be gained by asserting such a claim; but now

that slavery is utterly abolished, and the name of an Immediate Abolitionist is no longer a reproach, we occasionally meet a man who seeks to gratify his family pride or gain for himself a cheap notoriety by advancing the claim that some progenitor of his was the "original Jacobs" of immediatism. It is right that every such claimant have a fair hearing; but let us not be over-credulous, or too willing to pluck from the head of the great Liberator the crown of honor which has been placed there by the general suffrages of his contemporaries.

To Mr. Garrison alone most certainly belongs the credit of taking up the doctrine of immediate and unconditional emancipation and making it at once the foundation and cap-stone, the inspiring force and outward badge, of a great movement against American slavery—a movement which, beginning upon a small scale and making its way bravely against powerful adverse influences, triumphed at last when Abraham Lincoln on a single day struck the fetters from millions of slaves. If the delusion that it was dangerous to life and property to emancipate instantly great bodies of slaves had not been removed by the abolitionists from the minds of the intelligent portion of the American people, Mr. Lincoln would not have dared to issue his immortal proclamation. What it cost the early abolitionists to stand up for a principle almost universally scorned and rejected, future generations will never suspect. With what ingenuity it was misrepresented, and caricatured, and held up to public indignation as the synonym of universal carnage and horror, anybody may see who chooses to consult the newspaper files of that period. Especially did the American Colonization Society and its champions set themselves to the task of ridiculing and contemning immediatism as fanatical and incendiary. If that doctrine had been accepted by the country the society would instantly have lost its chief vocation. "Immediate emancipation is impossible," cried the multitude; "do you not see that you cannot make the slaveholders give up their slaves all at once?" "In that sense," we replied, "it may be impracticable, just as the doctrine of the pulpits that all men ought instantly to confess their sins before God is so. In both cases the impracticability consists, not in any obstacle to the doing of what is demanded, but in the determination of the sinner to keep on in his evil ways. As the preacher of the gospel would betray his trust if he were to cease calling upon men in general to repent at once of every known sin, so we should bring our cause into contempt and ruin if we did not insist upon immediate emancipation as the right of every slave and the duty of every master, and this

whether the slaveholder will hear or forbear." If this was not alike good gospel and sound common sense, what was it?

The way is now open for a candid examination of Mr. Julian's plea in behalf of Charles Osborn, as against Lundy and Garrison. But here let me say that I have neither occasion nor disposition to undervalue the anti-slavery labors of Mr. Osborn. On the contrary, it gives me pleasure to acknowledge that from a very early period of his life he was a sincere opponent of slavery, and, some time after the advent of Garrison, an immediatist; that he took an active part in organizing manumission societies in Tennessee and North Carolina in 1814-16; that as a minister of the Orthodox Society of Friends he struggled to keep his sect from falling into a state of indifference and inactivity in regard to slavery; that he was careful to abstain from using the productions of slave labor; that he was not among those who were deceived by the subterfuges and false pretenses of the Colonization Society; that in 1817 he established a weekly newspaper at Mount Pleasant, Ohio, in which slavery, among other subjects, was discussed, and continued the same for about fourteen months; that in the latter part of his life, after he became an advocate of immediate emancipation, he was shamefully persecuted by his sect, insomuch that, with other members of the body, he was constrained to organize the "Society of Anti-Slavery Friends," of which, in 1850, he died an honored member. His published journal, while showing clearly that in the early part of his career he was not an immediate emancipationist, affords abundant evidence that he was a tender-hearted, conscientious man, who desired, and in his own way sought to promote, the abolition of slavery. Having conceded so much, I am compelled, after a close examination of his record, to insist that until after the advent of Garrison he belonged not to the first, but the second, dispensation. To desire and work for the manumission of slaves is not the same as to be an immediate abolitionist; else were all those immediatists who, centuries before Osborn was born, fought slavery as earnestly as he did. No one has ever claimed that Woolman and Benezet were immediatists, though such a claim might be made for them quite as plausibly, to say the least, as for him. On his own reasoning, therefore, Mr. Julian will be compelled to search for the first champion of immediate emancipation in this country far back in the annals of the colonial period.

Mr. Julian assumes, upon very inadequate proof, and against the strongest probabilities, that the Manumission Society of Tennessee,

which Mr. Osborn assisted in forming in 1814, or thereabouts, was founded on the principle of immediate and unconditional emancipation. There is not a line or word from Mr. Osborn himself to prove that such is the truth; while, as I shall show, there are various circumstances which make it certain that the Society was not in advance of the current anti-slavery sentiment of the day in communities where such a sentiment existed at all. The constitution of the Society is not put in evidence. Why? A copy of it, or at least some authentic account of its contents, ought to be in existence in some newspaper file or pamphlet in the public archives of Tennessee, if not in the hands of some of the descendants of those who took part in the organization. The burden of proof rests with those who advance so improbable an assumption in regard to it as that of Mr. Julian. They should confront us with this instrument before venturing to contradict all "the accepted manuals and histories" of the anti-slavery movement, thus seeking to pluck from Mr. Garrison's brow the chaplet which he wore during his whole beneficent life, and that shone there like a star in his dying hours. The uncertain recollection of an old lady, the daughter of a man at whose house the Society was formed, and who was present on the occasion, fortified as it is by no written record, can have but little weight in such a case. Her integrity is not questioned, but her recollection concerning an event that took place nearly seventy years ago, and her comprehension of the question at issue now, may well be doubted.

The same remark must be made concerning the testimony of that noble and venerable soldier of freedom, the Rev. John Rankin, whose name I write with grateful reverence. He is now ninety years old, and, while he is as incapable of misrepresentation as any angel from heaven, he may very easily be mistaken, as I most surely believe him to be. He was one of the first to heed the voice of Garrison, and during the whole anti-slavery conflict was brave and uncompromising. In Tennessee, the state of his nativity, and in Kentucky, years before Garrison came upon the stage, he uttered his testimony against slavery in "words that burned," and in a spirit that awed the slaveholders, while it inspired the gratitude of the slaves. I can never forget how deeply I was moved by his volume of "Letters on American Slavery," addressed to his slaveholding brother, Mr. Thomas Rankin, of Georgia, and first published during the period above named. The late Joshua Coffin, the antiquarian and the schoolmaster of Whittier, as well as one of Garrison's earliest friends, happening to hear of the book, which had

not then found its way to the East, wrote to the Rev. Dyer Burgess, of Cincinnati, for a copy. On receiving it he at once brought it to Mr. Garrison's attention, and the latter made haste to print all the letters in the *Liberator*, as well as to issue a new edition in book form. That work was of immense value to the early anti-slavery lecturers, as I can testify from personal knowledge. They carried it in their pockets and appealed to it in support of their indictment against slavery. Mr. Rankin's anti-slavery life has been so long, so brave and so uncompromising that he may well be pardoned for not now recollecting that there was ever a time when he was not distinctively an advocate of immediate emancipation. The different periods of that life, with their varying lights and shades, are now to his mind so harmoniously blended together that he is hardly conscious that there was ever a time when his vision was not quite so clear on some points as it afterward became. The grandeur and intensity of his moral purpose, which was the same at all times and under every phase of opinion, make him almost, of course, oblivious as to details. Mr. Julian quotes him as saying that he "preached the doctrine of immediate emancipation to large congregations" in Kentucky before 1824, and set it forth afterward in the series of letters above referred to. In regard to the letters I know he is mistaken, for I have a copy of them now lying before me, and can testify from actual examination that no such phrase as "immediate emancipation" is contained in them. They show very clearly the sinfulness of slavery and its many abominations, and the right of the slaves to liberty; but the language is only such as sincere believers in gradual emancipation were generally accustomed to use. There is not from beginning to end a single passage which shows that he had in contemplation, as desirable or possible, any such thing as the emancipation of the whole body of slaves at once. He comes very near it at times, and much that he says, as well as much that the advocates of gradual emancipation generally were accustomed to say, if consistently carried out, would require it; but he falls short of any clear and distinct avowal of the doctrine. If he had held that doctrine as Garrison held it, it would have stood out in so many words as a moral headlight on every page. We presume Mr. Rankin, if he could now read the sermons he preached in Kentucky at that day, would find them to be exactly like his admirable letters, both as to substance and phraseology. His testimony, therefore, in regard to the Tennessee Manumission Society must be founded in a misapprehension, by no means strange, as to the precise question at issue. If Mr. Garrison's letters

to him, of which Mr. Julian speaks, are ever published, I believe it will be found that they contain no acknowledgment that Mr. Rankin was before him in advocating immediate emancipation.

Equally unsatisfactory is the careless rhetoric of Levi Coffin and other associates of Mr. Osborn, as cited by Mr. Julian. It is easy to see how, in their warm regard for their friend, and in their commendable desire to do full justice to his memory, they failed to make discriminations required by truth, and affirmed more than he ever claimed for himself. If these men were living now to be cross-examined, their testimony would shrink into its true proportions.

If the Tennessee Manumission Society had really been founded on the doctrine of immediate emancipation—a doctrine then unknown to anti-slavery men in general, or known only to be repudiated as the wildest fanaticism—it would not have failed to arrest the public attention and throw a broad light over the whole country. When that doctrine was announced by Garrison, how quickly its power was felt! It was like a revolving light on a headland, casting its rays afar over the raging sea. The whole land was startled into attention; the slaveholders were alarmed, and thenceforth had no peace. It is morally certain that it would have been so in Tennessee if that light had been kindled there. The slaveholders of the neighborhood would never have sought membership in such a society, nor would its founders have been capable of the “weakness” of admitting them on the ground of “expediency.” The fact that they sought and obtained admission is an indubitable evidence that the Society was not grounded in immediatism, but stood on a different and lower foundation.

But this is not all. If Charles Osborn had been in those early days an advocate of immediate and unconditional emancipation, his own writings would now bear witness to the fact. In his journal and newspaper contributions, wherever he discussed the subject of slavery, it would have been prominent. It is morally impossible, if such a light was in his heart, that he could have put it under a bushel. Can anyone read the early anti-slavery writings of Garrison without finding at every step that he was an immediatist? But I challenge the production of a single line from the writings of Osborn, between 1814 and 1830, in which he avowed the doctrine of immediate emancipation. The words never drop from his pen, simply because the thought was never in his mind. If he had cherished the thought, he could not have kept it out of his daily speech or his writings.

In 1817, soon after he left Tennessee, Mr. Osborn established the *Philanthropist* at Mount Pleasant, Ohio. The prospectus of this paper is not cited. Why? If he was an immediatist, the fact would certainly appear there. But in the absence of this document I turn to the files of the *Philanthropist* itself, or rather to the citations which Mr. Julian has made from them. Surely, if Mr. Osborn was a champion of immediate emancipation, and had just founded a society on that principle in Tennessee, the evidence of such championship will be found in abundance here. I assume that Mr. Julian in his selections has given us the very strongest and most radical passages that he could find, and that if there had been in the whole file, covering a period of less than fourteen months, a single paragraph from Mr. Osborn's pen showing that he was an immediate emancipationist and anxious to commend that doctrine to his readers, it could not have escaped Mr. Julian's observation. But among all his citations no such paragraph is found. If Mr. Osborn was an earnest immediatist in Tennessee only two or three years before, how did it happen that he was dumb upon the subject in Ohio, with a weekly journal at his command? Had he so soon abandoned or forgotten the principle for which his eulogists at this day are so anxious to give him credit as the original discoverer? Mr. Julian says "various articles were admitted favoring the policy of gradual emancipation;" and, he is careful to add, "not a line was written by himself in its approval." It is pertinent to ask if he ever wrote a line to controvert it and to set forth the argument for immediatism. If he had been an immediatist himself, would he not have been irresistibly impelled to do this? Fancy Garrison allowing advocates of gradual emancipation to occupy space in the *Liberator* without reply! Imagine a file of that paper, covering a period of fourteen months, and containing not a single paragraph in which the words immediate and unconditional emancipation could be found! The suggestion is simply ludicrous. Mr. Julian might as well quote Mr. Osborn's commonplaces on the subject of intemperance to prove that he was the first advocate of total abstinence and the author of the Maine law as to pretend that anything that he has copied from the *Philanthropist* shows the editor to have been the advocate of immediate emancipation. The passages cited, I freely allow, are of a "decidedly anti-slavery character"; but so also are the writings of gradualists generally. Mr. Julian admits, indeed, that Mr. Osborn "did not, *in so many words*, demand immediate and unconditional emancipation," which is tantamount to a confession that he did not

demand it at all. If the doctrine is to be wrung as an inference from writings of his in which the words are not found, then it can be proved that there were scores of immediate emancipationists before his day—for every earnest opponent of slavery, clear back to the times of the Revolution, and further, wrote against it as uncompromisingly as Mr. Osborn. Edwards, and Hopkins, and a score of their contemporaries, came much nearer than he ever did to demanding instant emancipation, and yet they all fell short of that high mark. To say, as Mr. Julian does, that Osborn “always stood upon the ground” of immediate emancipation, while not once using the words, is like saying that some man was a Quaker before the time of George Fox, though never once in all his life was he known to speak of the “inward light,” or of being “moved by the spirit.”

But the argument from Mr. Osborn's writings does not end here. I turn to his journal, published after his death, and covering the whole period of his active life, and I find that even there, though he often speaks of his travels in States where slavery existed, of his conversations on the subject with slaveholders and others, and of his tender sympathy for the “poor oppressed black people,” in terms which do credit to his head and heart, he never once before 1840 uses the words immediate emancipation. He alludes (March 3, 1816) to the Manumission Society of Tennessee, as “claiming a considerable part of my attention,” but he gives no hint that it was founded on the principle of immediatism. He speaks of the *Philanthropist*, but does not intimate that it was established to advocate immediate emancipation. He speaks of preaching in various places among Friends, exhorting them to be faithful to their testimony against slavery, but does not pretend that he went in any respect beyond that testimony. He speaks (August, 1824) of returning to Tennessee from Indiana, and attending a convention of the Manumission Society, which, as Mr. Julian has said, had changed its constitution to admit slaveholders. In spite of this, he says: “Was gratified to find able advocates for the cause of suffering humanity. May they stand firm.” Observe, he does not say that he found advocates of immediate emancipation there, or intimate that they had fallen away from any principle which, in common with himself, they had previously advocated.

His journal up to 1840 contains not the slightest allusion to the rise of the movement under Garrison in 1830–31. His mind indeed at this time seems to have been wholly absorbed in matters pertaining

to the condition of his sect. The land was suddenly filled with excitement on the subject of slavery, but he, so far as appears from his journal, was quite oblivious to the fact. If he had been for fourteen years an advocate of immediatism, could he have been silent at such a time? Ought he not to have been among the very first to send a greeting to Garrison and join the new movement? But the anti-slavery records of that time will be searched in vain for any word of his or any mention of his name. In 1832 he went to England as a Quaker preacher. That country was then deeply moved by the agitation for the immediate abolition of slavery in the West Indies, but his journal affords no evidence that he was even conscious of the fact. He did indeed converse with Friends in opposition to colonization, but not once does he allude to the agitation for immediate abolition, either abroad or at home. How is this silence and apparent lack of interest to be reconciled with Mr. Julian's plea that he was the first immediate emancipationist in America? Mr. Julian claims that "he [Osborn] made Elliott Cresson's mission to England in behalf of the Colonization Society a failure," which is a great mistake, for that mission was in the full tide of success a whole year later, when Mr. Garrison went over there and broke it up by enlisting against it the efforts of Wilberforce, Macaulay, Cropper, and other leaders of the anti-slavery movement. No doubt Mr. Osborn's testimony on the subject was valuable, and I gladly give him credit for it; but it did not accomplish the result claimed for it by Mr. Julian. I repeat that all through the first ten years of the anti-slavery movement his journal is silent concerning it, affording no evidence that he felt any interest in it. His abolitionism, such as it was, appears to have been confined within the walls of his sleepy and almost apostate sect. In 1840 he makes an entry in his journal which proves this conclusively. "I do not approve," he says, "of Friends joining with other associations for the promotion of the great and good cause of abolition." And this narrow sectarian is the man on whose head Mr. Julian would place laurels plucked from the brows of Lundy and Garrison!

Some time after 1840 [see *Journal*, p. 439] Mr. Osborn makes his first allusion to the great anti-slavery movement, after a silence of ten years. And what does he say? Does he claim to have been the pioneer of that movement, or to have been the first to proclaim the principle on which it was founded? Far from it. He admits that the movement was a new one, and claims to have had no connection with

it. "About this time [1830]," he says, "the slumbering babe of Emancipation arose, and with manly purpose and Christian zeal began to plead the cause of the oppressed in a voice that was soon heard in all the land, saying to the people that they should loose the bands of wickedness, undo the heavy burdens, and let the oppressed go free; and that they should proceed to break every yoke. The doctrine of immediate and unconditional emancipation caused fresh excitement, in-somuch that both the churches and the States united their strength and made many and great efforts to silence the very unwelcome cry of abolition; even the greater part of the chief leaders in the Society of Friends set themselves to oppose the abolitionists, with a strong determination to give them no countenance, and yet said they were as good abolitionists as anybody." This passage gives us light upon the question under consideration. "The slumbering babe of Emancipation," according to Mr. Osborn, "arose," not in 1814, but in 1830, and not in Tennessee, but in New England, and "began"—the reader will please note the word—"began to plead the cause of the oppressed in a voice that was soon heard in all the land," and "saying to the people that they should proceed to break every yoke." "The doctrine of immediate and unconditional emancipation," says Mr. Osborn, "caused fresh excitement" in 1830, as the doctrine of gradualism before that time had not done. Mr. Julian is thus refuted by the testimony of Mr. Osborn himself, and to his testimony I add that of Walter Edgerton, his intimate friend and associate, and clerk of the Society of Anti-Slavery Friends. In his "History of the Separation of Indiana Yearly Meeting," Mr. Edgerton says distinctly that the New England Anti-Slavery Society [1832] and the American Anti-Slavery Society [1833] "*took an important step, quite in advance of any previous organization.*" While all others had advocated a system of gradual emancipation, these boldly took the ground that nothing short of immediate freedom to all could satisfy the demands of justice, and fulfill the righteous law of God." Mr. Edgerton's name appended to the carelessly worded "memorial" of Mr. Osborn, adopted after the death of the latter, amounts to nothing when weighed against what he himself deliberately penned in his history. The writers of the "memorial," whoever they may have been, were simply mistaken. Knowing that the subject of their eulogy had been an earnest opponent of slavery from his youth, they not unnaturally overlooked the fact that the testimony of his later years was clearer and stronger than that which he bore at first. Edgerton, moreover, testifies that in 1836

Mr. Osborn advised Friends against associating with "other people" for the promotion of the anti-slavery cause—which proves that he carefully avoided identifying himself with the great anti-slavery movement, and kept himself strictly within the narrow bounds of his sect. He was, no doubt, conscientious in this, but it nevertheless proves that to him do not belong the honors either of a pioneer or leader in the movement, which embraced people of every form of religious faith, as well those without as within the churches.

It is a curious fact that never, so far as I can learn from his writings, did Mr. Osborn distinctly avow himself an immediate emancipationist until after his disownment by his sect. Then he found courage to say in his journal, "I had not violated their discipline. But I was an abolitionist, and believed in immediate and unconditional emancipation." This had, no doubt, been true some time before, but certainly not previous to 1830. At last the great movement, from which he at first stood aloof, flooded and saturated him, and he changed the old phraseology for the new, adopting the terminology of the Garrisonians. Before that time his sect could tolerate him, but now he became to them such a rock of offense that they cast him out of their synagogue, or, as he says, "singled me out for persecution."

Not many words are required to refute what Mr. Julian affirms in regard to Osborn's *Philanthropist* as "the first anti-slavery paper in the United States." Mr. Julian himself, in his quotations from the files of that paper, as I have already shown, has furnished positive evidence that it did not advocate immediate emancipation; and I now add that it was not even an anti-slavery paper in the sense that the *Genius of Universal Emancipation* and the *Liberator* were such. The papers last named were founded distinctly—it is hardly too much to say exclusively—to promote the abolition of slavery. The founders gave their lives to this work, with the purpose to turn not back until liberty should be proclaimed throughout all the land unto all the inhabitants thereof. Osborn's paper was established for a variety of objects, of which the discussion of slavery was one, and that by no means paramount to the others. When the *Genius of Universal Emancipation* is set down in history as the pioneer anti-slavery paper, the first ever established in the United States, it is not meant to be affirmed that there were not scores of papers of an earlier date in which slavery, in connection with other subjects, was earnestly discussed, but only that it was the first paper begun and continued for the one avowed purpose of breaking up the slave system. And this

claim is just and true. Osborn's paper, however useful it may have been during its brief life, belongs in another category, where, instead of being the first, it is, in respect of time, far down in the column. Papers that incidentally discussed slavery, and bore a strong testimony against it, long before Osborn made his appearance, might be named by the score. Lundy and Garrison set themselves to the task of organizing a movement that should end only with the destruction of slavery. Osborn established and continued less than fourteen months a local semi-religious family paper, in which slavery was discussed, in common with intemperance, war and other evils, and with no distinct purpose of creating a lasting and permanent agitation. He was so lacking in breadth of view and tenacity of purpose that he abandoned his enterprise in a little more than a year. The paper was intellectually feeble, its testimony against slavery not a hair's breadth beyond that of the Society of Friends, which, as everybody knows, stopped short of immediate emancipation. All the circumstances conspire to show that Mr. Osborn was then in the first dispensation, which, as Mr. Julian says, was "not a struggle or a conflict, but a reform. * * * It was as easy to be an abolitionist then as to be in favor of prison reform or the improvement of the condition of the aborigines." Hence the *Philanthropist* made scarcely a ripple of excitement, and was unheard of outside of its local sphere. The period was no part of "the martyr age of America," and "cannot properly be compared with it." Mr. Osborn reached that age only after 1841, when the Friends began to persecute him.

Mr. Julian claims that Osborn was the inspirer of Lundy, and therefore entitled to eminence as the pioneer of the anti-slavery movement. "He kindled the blaze," so Mr. Julian insists, "which lighted the burning torch of liberty," placed by Lundy years afterward in the hands of Garrison. But we learn from Mr. Lundy himself that his torch was all ablaze before he ever heard of Osborn or his paper, and that, without solicitation, he offered to "select articles" on slavery for the *Philanthropist*, and "get subscribers" for it. So efficient was he that Osborn sought editorial assistance from him, and it is more than probable that whatever help the paper was to the anti-slavery cause was due more to the assistant than to his chief. Lundy had grip, fire and pertinacity, and a distinctly defined purpose, and did not give up the enterprise, as Osborn did, in a little more than a year. His torch was so well lighted before he ever saw Osborn that it burned on after the fire of the latter had paled.

Mr. Julian assumes that it was an editorial paragraph of Osborn's that suggested the title of Lundy's paper, *Genius of Universal Emancipation*. The paragraph in question concluded in the well-known words of Curran, the great Irish orator: "Redeemed, regenerated and disenthralled by the irresistible genius of universal emancipation." Of course, these words suggested to Mr. Lundy the title of his paper; but there is every reason to believe that the paragraph of which as a quotation they formed a part was from his own pen, as he was far more at home in classic oratory than Mr. Osborn ever was.

Mr. Julian says that Osborn's *Philanthropist* "was just such a newspaper as Elijah P. Lovejoy was murdered for publishing in Illinois twenty years later." Then it was certainly not an advocate of immediate emancipation, for the *Alton Observer* never took that ground. Lovejoy fell a martyr to the freedom of the press. To the day of his death he never joined the abolitionists. But the movement for immediate emancipation had then filled the land with excitement, and the minions of the slave power saw that it could never be put down if free discussion were tolerated, for discussion then led surely to immediatism, and immediatism was fatal to slavery. Lovejoy, moreover, was known to be a man of power and indomitable purpose. The slaveholders, if many of them had heard of Osborn's paper twenty years before, as they probably had not, would have had small temptation to add his name to the roll of martyrs for freedom.

One item more in the list of Mr. Julian's proofs demands a few words: "In 1847, when Mr. Garrison, in Cleveland, Ohio, met a son of Mr. Osborn, who still survives, he said to him, 'Charles Osborn is the father of all the abolitionists.'" Well, what if he did? The remark, rightly interpreted, signifies nothing more than that Mr. Osborn, being an older man, was also an older abolitionist than Garrison. It has no bearing upon the question whether Osborn was an immediatist or not. Look at Garrison's generous tributes to Lundy, who was a gradualist in all the early period of his career. When Garrison joined him in 1829, their difference upon the question of immediate emancipation made it necessary that their responsibility should be divided, each appending to his articles his own special signature. Mr. Garrison honored every earnest opponent of slavery, whether he were an immediatist or not, never "breaking the bruised reed or quenching the smoking flax," but, wherever he recognized an honest purpose, waiting patiently for men to come to the light. To turn his generous words in relation to Osborn—words spoken in the

unrestrained freedom of private intercourse—into a weapon to be used against himself, is certainly neither magnanimous nor just. As an argument the incident has no force.

My task is ended. I believe I have met in a spirit of perfect fairness every argument advanced by Mr. Julian, and shown conclusively that his attempt to impeach “the current manuals and histories” of the anti-slavery movement is unsuccessful. Of course, I do not question his perfect sincerity and good faith, or charge him with any “desire whatever to do the slightest injustice to Garrison and Lundy.” He is too honorable to be governed in this matter by such a motive. He has only fallen into a mistake, having been led astray by a chain of reasoning which, though plausible, is yet too weak to bear the strain to which it must be subjected before it can avail to set aside the testimonies of current history. And I most sincerely say for myself that I have “no desire whatever to do the slightest injustice” to Charles Osborn. I am simply making a stand for the established verities of anti-slavery history, without respect to persons. Mr. Julian is only just to Garrison and Lundy when he says, “if living, they would be the last to deny to a fellow-laborer in the great cause the share of honor he had fairly earned in its service.” But the friends of these heroes of the grandest movement of modern times may certainly be excused for weighing carefully and critically the claims set up in behalf of any one else to the honors which history has assigned to them alone. Respecting, as I most sincerely do, the character of Charles Osborn as an earnest opponent of slavery during his whole life, I regret, for his sake, this attempt to lift him into a position he never occupied, and to which he never aspired. In his own proper sphere he is deserving of gratitude and honor, but none of the laurels of Lundy or Garrison can be fitly placed upon his brow. If he were living now, I believe he would promptly repudiate this ill-advised attempt to set him on a pinnacle as the earliest champion of immediate emancipation. The whole record of his life bears witness against it.

OLIVER JOHNSON.

THE PROPER FUNCTION OF RENT.

“WE must,” says Dr. Sturtevant, in the “Princeton Review” for March, 1882, “we must vindicate the natural right of the land-owner or prepare for a revolution more sweeping and astounding than any which any civilized community ever yet experienced.” And thereupon he undertakes to establish what in effect is the following position: That in point of fact “rent” perfectly performs its “proper function” *even when, as at present*, it is largely the property of *portions* only of the community, instead of being owned by the entire people, and collected as a public revenue in the shape of a land tax.

Now, as the reader need hardly be told, the position which Dr. Sturtevant thus undertakes to establish (by way of avoiding the “revolution” which he dreads) is directly the reverse of that which may fairly claim to be at present the “better” one. The weight of authority is on the side of the following theory: That though it be now impossible, everything considered, to establish such a state of affairs by any just and practicable means available for the purpose, it is nevertheless true that rent performs its proper function in the economy of society only to the extent that it is owned and availed of by the whole community, instead of by individuals or classes smaller than the whole. For, according to this view, “the proper function of rent” is simply this: To make it possible for every individual to share equally with every other in the bounty of nature, even after the division of labor has been resorted to, and all do not labor directly on the land. “Given,” says Mr. Herbert Spencer, “given a race of beings having like claims to pursue the objects of their desires; given a world adapted to the gratification of those desires, a world into which such beings are similarly born, and it unavoidably follows that they have equal rights to the use of this world. For if each of them ‘has freedom to do all that he wills, provided he infringes not the equal freedom of any other,’ then each of them is free to use the earth for the satisfaction of his wants, provided he allows all others the same liberty. And, conversely, it is manifest that no one, or part of them, may use the earth in such a way as to prevent the rest from similarly using it, seeing that to do this is to assume greater freedom than the rest, and consequently to break the law.” * * * “But to what does

this doctrine, that men are equally entitled to the use of the earth, lead? Must we return to the times of uninclosed wilds, and subsist on roots, berries and game? Or are we to be left to the management of Messrs. Fourier, Owen, Louis Blanc & Co.? *Neither.* Such a doctrine is consistent with the highest state of civilization, may be carried out without involving a community of goods, and need cause no very serious revolution in existing arrangements. The change required would simply be a change of landlords. Instead of being in the possession of individuals, the country would be held by the great corporate body—society. Instead of leasing his acres from an isolated proprietor, the farmer would lease them from the nation. Instead of paying his rent to the agent of Sir John or his Grace, he would pay it to an agent or deputy agent of the community. Stewards would be public officials, instead of private ones, and tenancy the only land tenure. A state of things so ordered would be in perfect harmony with the moral law. *Under it all men would be equally landlords; all men would be alike free to become tenants.* In the "North American Review" for July, 1870, Professor Simon Newcomb wrote as follows: "If we trace back the steps in the production of any article of utility, we shall find ourselves ultimately dependent on certain natural agencies and materials for all our means of subsistence. Such are the heat and light of the sun, the soil which furnishes the growth of the vegetable world, the rocks and minerals hidden in the earth, the streams which flow over its surface. Deprived of these, the human race would cease to exist. Now, when we enter upon a close inquiry, we find that, while certain of these agencies are unlimited in amount and equally free to all, there are others of which the supply is limited, or of which all cannot avail themselves. The heat and light of the sun, for instance, belong to the first class. But there are only 50,000,000 of square miles on the surface of the globe, and the surface of productive soil is much smaller. In a densely-populated community the amount of land within reach of any one individual is very small indeed. Again, navigable rivers run by the doors of very few. The total amount of water-power in any State of the Union is extremely small, while coal, iron, lead and copper are found only in certain favored localities. The inevitable consequence of this state of things is a continual diminution, as population increases, of the amount of these agencies which is at the command of each individual. *If this were all, it would affect all classes nearly alike. But it is well known that these materials and agencies, as fast as they become*

available, are in the main appropriated by individuals, through the agency or consent of government, and are then held as private property. Such is the case with the soil and the minerals beneath it. The owners of this property charge as much for the use of it as if it were their own creation, and not that of nature. The price thus charged, termed 'rent' by the English economists, necessarily increases with the increase of population." * * * "Against this policy the laboring class has reasonable ground of complaint. The doctrine that the soil is of natural right the common property of the human race, and that each individual should be allowed to enjoy his share, is now [1870] tacitly admitted by many eminent economists in England and France. *If this right could be enforced, the rent of all the land of any country—England, for instance—would be divided among the inhabitants, and the poorer classes would be made wealthier by the amount thus distributed. It must be borne in mind that the right here referred to is only to the soil itself, in a state of nature, and not to the improvements which have been made by labor.*" In the "Fortnightly Review" for October, 1880, the late eminent economist, Professor T. E. Cliffe-Leslie, has the following passage: "Had Mr. George confined himself to contending that the governments of new countries have committed a grievous blunder in allowing their territory to be appropriated in perpetuity by the first-comers for a nominal payment, he would have found allies among the advocates of private property in land. Even in old countries like England, whose territory has been appropriated by a small number of owners with the full sanction of the state, and contracts, and dealings, and investments of capital, have gone on for centuries on this foundation, all the requirements of justice and expediency would be met were it enacted that *at a remote date*—say, four generations hence, or in the year 2001—all landed property, both in country and town, shall revert to the state. At that period legislators could decide, with better lights than we now possess, how to dispose of the vast accession to its resources. *It would in any case come into a fund which would enable it to extinguish all taxes, and the restrictions to production and commerce they cause.* Unhappily existing generations care little for a distant posterity, and would be too apt, were the project under discussion, to convert it into one for immediate and uncompensated confiscation, such as Mr. George urges with a harshness that might justify a harsher name." "Land is bought and sold," says Mr. J. A. Froude,¹ "under

¹ The "Nineteenth Century," September, 1880.

the guarantee of the law. The purchaser must receive value for what he has purchased in good faith, and any change to be hereafter introduced must be the result of the maturest deliberation. '*La propriété c'est le vol*,' says M. Proudhon, and it is possible that hereafter society may be constructed on that principle. But the alteration will be the work of centuries, and may be postponed to the millenium. To confiscate or to propose sudden or unheard-of restrictions upon the property of individuals under an impulse of political enthusiasm is *le vol* also, and a breach of faith besides, and the government which tries it does not deserve to survive the experiment." None the less, says Froude, "Land is not and cannot be property in the sense in which movable things are property. Every human being born into this planet must live upon the land if he lives at all. He did not ask to be born, and, being born, room must be found for him. The land in any country is really the property of the nation which occupies it; and the tenure of it by individuals is ordered differently in different places according to the habits of the people and the general convenience."

* * * "The purchaser of land is entitled to his money's worth. *If for political reasons the state interferes to prevent him from collecting his rents, the state must compensate him. But he is not entitled to more.*" * * *

"To treat land, with the present privileges attached to the possession of it, as an article of sale, to be passed from hand to hand in the market like other commodities, is an arrangement not likely to be permanent either in Ireland or elsewhere." After quoting these remarks of the historian, and with direct reference to them, Alfred Russell Wallace says: "Hitherto no practical mode of carrying such ideas into practice has been hit upon, and they have accordingly been relegated to the limbo of unpractical politics. *But this defect is not inherent in the views themselves.*"¹

In his celebrated work on the "Science of Law," one of the most important volumes of the International Scientific Series, the eminent successor of the great Austin in the department of Jurisprudence, Professor Sheldon Amos, has the following suggestive words: "There are in all states a number of classes of things which for one reason or another are either temporarily or permanently *excepted from the category of things of which appropriation is impossible.* * * * LAND, as a subject of ownership, might indeed be treated as belonging to the class of things set apart for the service of the State, though in

¹ "Contemporary Review," November, 1880.

the earlier stages of the development of the community the QUANTITY of land and the limited number of uses to which it is capable of being turned combined to keep this aspect of it out of sight. Yet, in fact, the relation of a State to its territory, which in modern times enters into the essential conception of the State, *implies that the land cannot be looked upon, even provisionally, as a true subject of permanent individual appropriation.* This view obviously commends itself from the mere facts that the land is the only indestructible commodity in the country having an existence coextensive in duration with that of the State itself, and that the culture and produce of the national soil must always be a matter of urgent State concern, quite independently of all considerations of the classes of persons to whom from time to time the task of laboring on the soil is, as it were, delegated. *A period may, however, arrive when the density of the population and the fixed limits of the national soil make this view of the essentially political character of the land not only plausible but irresistible.* If the land is looked upon as susceptible of permanent appropriation by some persons, other persons must, by the same theory, be regarded as possibly excluded from it—that is, banished from the territory of the State. Before reaching such a crisis as this States are usually arrested by an imperious appeal to review the conditions and tendencies of their land laws. *The State is brought face to face with the fact that the SPURIOUS NOTION of the possible appropriation forever of the national soil by private persons has made alarming progress both in popular theory and practice."* Of very obvious relevancy in this connection is Professor Cairnes' comment on "the phenomenon that so little impression has been made on the rate of wages and profits by the immense industrial progress of modern times," that comment being as follows: "Not, indeed, that the introduction of improved processes into agriculture has been for naught; it has resulted in a large augmentation of the aggregate return obtained from the soil, but without permanently lowering its price, and therefore without permanent advantage to either capitalist or laborer or to other consumers. The large addition to the wealth of the country has gone *neither to profits nor to wages, nor yet to the public at large, but to swell a fund ever growing, even while its proprietors sleep—the RENT-ROLL of the owners of the soil.*"

The burden of two works of world-wide reputation—Professor Emile de Laveley's "Primitive Property," and Henry George's "Progress and Poverty"—is to the same effect. [George, however,

differs from the others in the proposition for *immediate* and *uncompensated* confiscation of the right to rent.]

“Last, but not least,” we will quote the following from John Stuart Mill: “Those countries are fortunate, or would be fortunate if decently governed, in which, as in a great part of the East, the land has not been allowed to become the property of individuals, and the State consequently is the sole landlord. *So far as the public expenditure is covered by the proceeds of the land, those countries are untaxed; for it is the same thing as being untaxed to pay to the State only what would have to be paid to private landlords if the land were appropriated.* The principle that the land belongs to the sovereign, and that the expenses of government should be defrayed by it, is recognized in the theory of our own ancient institutions. The nearest thing to an absolute proprietor whom our laws know of is the freeholder, who is a tenant of the crown, bound originally to personal service in the field or at the plough, and, when that obligation was remitted, subject to a land tax intended to be equivalent to it. The first claim of the State has been foregone; the second has for two centuries been successfully evaded; *but the original wrongdoers have been so long in their graves, and so much of the land has come into the hands of new possessors, who have bought it with their earnings at a price calculated on the unjust exemption, that the resumption of the land without indemnity would be correcting one injustice by another, while if weighted with due compensation it would be a measure of very doubtful profit to the State.* But, though the State cannot replace itself in the fortunate condition in which it would now have been if it had reserved to itself from the beginning the whole rent of the land, *there is no reason why it should go on committing the same mistake,* and deprive itself of that natural increase of the rent which the possessors derive from the mere progress of wealth and population without any exertion or sacrifice of their own. If the Grosvenor, Portman and Portland estates belonged to the municipality of London, the gigantic incomes of those estates would probably suffice for the whole expense of the local government of the capital. But these gigantic incomes are still swelling. By the growth of London they may again be doubled in as short a time as they have doubled already. *And what have the possessors done that this increase of wealth, produced by other people's labor and enterprise, should fall into their mouths as they sleep, instead of being applied to the public necessities of those who created it?*”

* * * The nation ought (at any rate) to prevent further legal rights of this description from being acquired by those who do not now possess them."¹

The very highest authority, then, supports the proposition that, *THOUGH it is now impossible*, everything considered, to establish such a state of things by any just and practicable means available for the purpose, *it is NEVERTHELESS true* that rent performs its proper function in the economy of society only to the extent that it is owned by the whole community, instead of by individuals or classes smaller than the whole, the proper function of rent being simply this: to enable every individual permanently to enjoy his primitive right to share equally with every other in the bounty of nature, even after it has ceased to be expedient that all should be personally engaged in agriculture.

But in this seemingly innocent and certainly well-indorsed position Dr. Sturtevant, either forgetting or disbelieving the saving "though" of the authors cited, sees no alternative but to *deny* their "nevertheless," or "prepare for a revolution more sweeping and astounding than any which any civilized community ever yet experienced."

After stating that "the theory of rent generally accepted by the English school is that of Ricardo, according to which rent is a consideration for the use of land over and above the interest of the capital invested in its improvement," Dr. Sturtevant says: "Mr. Henry George urges with great power of statement, and to many readers plausibility of argument, that the natural productiveness of land is as truly the free gift of God to all men as the air or the water. So it is. Who can deny it? Why, then, he argues, should any man be allowed to exact any compensation for its use more than for the privilege of breathing the free air of heaven? *If the definition of rent which we have been examining [i. e., Ricardo's] is to be accepted as a true account of the matter, how can any satisfactory answer to this argument be given? The only satisfactory answer that is possible is a DENIAL of that definition and of all its consequences.*" He proceeds: "No such consideration is or can be exacted. The nature of landed property forbids it. *The consideration which men call rent is NOT payment for the use of the natural powers of the land, but for the labor invested in its improvement.*" Could anything be more categorical or "satisfactory"? But this is not all, for the doctor, having under-

¹ The "Examiner," January 11, 1873.

taken the job, believes in thoroughness. "For the most part," he calmly adds, "even in the case of the best lands and those which require the least outlay to prepare them for cultivation, that which is paid in the form of rent *falls far short of current interest on the cost of subduing them and keeping them in repair*" !

The issue, then, is definitely drawn. On the one side is the opinion of the distinguished writers before named, to the effect, 1, that "rent" is the payment which land-owners obtain from those wishing to avail of the natural powers of the land ; 2, *that, this being so*, rent naturally and preferably should belong to the entire people, and not to privileged individuals or classes ; 3, that, notwithstanding this, and though the circumstance is greatly to be deplored, it is nevertheless the fact that society is not at liberty to ignore the vested rights of those whom it has in the past allowed to become land-owners. Dr. Sturtevant, on the other hand, apparently scorning the refuge which the others have found in their third position, and yet agreeing with George and the rest that if the first proposition is admitted the truth of the second follows, categorically "denies" the established, yet mischievous, definition of rent already mentioned. He says that "the consideration which men call rent is *not* payment for the use of the natural powers of the land, but for the labor invested in its improvement." To quote his own language, with an altered application, "it is greatly to our purpose to inquire whether *this* theory and definition of rent are true."

To this inquiry we now proceed:

The Doctor's demonstration of his point—"demonstration" is the name he gives it—consists, substantially, of three several positions, which we will now examine :

I. The first of these is thus laid down : "It is here that the opponents of the private ownership of land lay the whole stress of their argument. Land, say they, as truly as air and water, is God's free gift to all alike, and therefore cannot be the exclusive property of any. It is also precisely here that their argument breaks down. *Land never is found in its natural condition to be fit for human use. It must be prepared for cultivation by processes which are always laborious, and often exceedingly costly.* The rank and useless growths of nature must be exterminated, channels for drainage must be opened, and it must be protected from the incursions of brute animals, both wild and tame, by suitable fences. Buildings must also be erected for the use of its cultivators. *In this necessity is found the natural*

foundation for the private ownership of land. The Creator has given land to the human race under very different conditions from those under which he has given air and water."

Now, both logically and for convenience of discussion, this first position subdivides into these two assertions: First, that the whole stress of the argument against the private ownership of land rests upon land's being, "as truly as air and water, God's free gift to all alike." Second, that the fallacy of the argument in question is shown by the fact (if fact it be) that "land never is found in its natural condition to be fit for human use," etc. Let us take up each of these two assertions in its turn:

I. While it is unquestionably true that the phrase of land's being "God's free gift to all alike" is one in which many of the opponents of the private ownership of land are wont to embody their opposition, it by no means follows that, as he seems to have inferred, "the whole stress of the argument" rests upon the idea *that the private ownership of land is inconsistent with the divine desire as manifested in the alleged donation.* Not only is this theological aspect of the matter one with which the argument against the "monopoly of rent" can safely and does willingly entirely dispense, but, furthermore, even when "agnostically" conceived, the *fact* which the argument really refers to in using the "free gift" phrase is by no means the chief or even a positive, element of that argument, but only, so to speak, the negative complement thereof. The "positive" substantial reason for deploring the monopoly of rent is not, we venture to say, any *a priori* metaphysical or religious scruple against contravening an alleged "natural order" or "divine intention," but a decidedly *a posteriori* objection to the bringing about thereby of social conditions fraught with infinite mischief and danger to society—conditions, namely, making the majority of the community "TRIBUTARY" to a privileged class, which inevitably becomes a small minority, and which rapidly comes (largely) to live upon this tribute in idle luxury, or even vice, while the others have to pay it as the one condition upon which alone they will be allowed to labor and to live. This, we repeat, is the positive, substantial element of the position. As for the fact which is really alluded to by the phrase that the land is the free gift of God to all alike—the fact, namely (in untheological language), that the land *does not need to be purposely made by man in order to exist*—this fact, we say, has in the argument only the negative function of *disproving the claim, which might else be made*, that, whether mischievous or not, the monopoliza-

tion of rent is at any rate indispensable, as being the one condition upon which alone any one would take the trouble to produce what is itself the great *sine qua non*—i. e., the LAND. In other words, this fact that land exists as a natural *datum*, instead of needing to be produced, creates a relevant and important distinction between it (as so existing) and those artificial commodities which depend for their existence upon the exertion of human energy for the purpose; for, while as to the latter it is true that they *will not exist at all* unless men are induced to produce them by the prospect of owning them when produced, the same does not hold of land *in its primitive, natural condition*, since that, *ex vi termini*, exists, not as a product, but as a *condition* of human labor. This certainty that the natural factors spoken of as “land” will exist whether any one has any motive for producing them or not, and that consequently there is no occasion for allowing any one to enjoy the rent of it as an inducement to the production of it—this certainty, we repeat, is all that is essential in the proposition that land is God’s free gift to all alike; while, as we have seen, this, instead of being that upon which the anti-monopolists “lay the whole stress of their argument,” is really referred to only to disprove what might else be urged—namely, that the monopoly of rent must be allowed in order thereby to induce the production of a sufficient supply of land. The important positive basis of the argument is the fact that the monopoly (thus shown not to be necessary) *lays upon the majority, for the benefit of an idle minority, a tribute at once grievous and unjust*. Or, as the “Westminster Review” has put it (October, 1881), “Personal proprietorship of land provides the greatest wealth for the smaller number and the greatest poverty for the greater number.”

II. But, in the second of the two assertions into which we analyzed his first position, Dr. Sturtevant claims that the anti-monopolist’s argument—resting as it does on the assumption that “land is the free gift of God to all alike”—“breaks down” at once when it is pointed out that “Land never is found in its natural condition to be fit for human use, (the fact being that) it must be prepared for cultivation by processes which are always laborious, and often exceeding costly.”

With all respect, in the first place, it is simply and notoriously not the fact that “land *never* is found in its natural condition to be fit for human use.” Whether or not any given “land is in its natural condition fit for human use” depends upon what is its “natural condition” and what is the “human use” to which it is desired to apply it.

Both of these elements vary, and the result inevitably varies with them. To name one instance out of many, the *maintenance of forests* is a very important "human use" for which much of the land is perfectly "fit" "in its natural condition."

But (in the second place.) grant, for the sake of the argument, that the Doctor's assertion is literally true, and even then, so far from "breaking down," the anti-monopolist argument is *not one whit the worse!*

What *is* this anti-monopolist argument? Simply this: That (apart from the question of vested rights) there is NO OCCASION for allowing the monopolization of the land *as an inducement to people to keep up the supply of it* (as is the case with artificial commodities), INASMUCH *as the land already exists as a part of nature*, the supply of it not being at all dependent upon anybody's being induced to produce it or bring it into existence. How is this "broken down" or in any way affected by the proposition that "land is never found in its natural condition to be fit for human use"? Suppose his proposition true. What then? Suppose that land "in its natural condition" is (so to speak) *only the RAW MATERIAL out of which human labor "makes" the "farms" and other land-products which alone are* (in the Doctor's sense) *"fit for human use."* We repeat, what then? Surely this interesting fact concerning land—that in its natural condition it is only the raw material of farms and other directly available land-commodities—surely this fact, though never so real, is perfectly consistent with the other fact above stated, that, inasmuch as land (in its natural condition) *already exists as a part of nature*, there is no occasion for *inducing its production* by holding out to potential producers of it the prospect of a reward, to consist of an exclusive ownership of it. To prove that this argument is not "broken down" by the fact which the Doctor points out, let us apply this crucial test: The fact in question being this, that land in its natural condition is only the raw material of farms and other directly available land-commodities, let us now, in the argument itself, expressly substitute for "land in its natural condition" the *definition* of it which has thus been formulated. What is the result? Why, the argument will read thus: INASMUCH *as "the raw material of farms and other directly available land-commodities" already exists as a part of nature*, there is no occasion for INDUCING ITS PRODUCTION *by holding out to potential producers of it the prospect of a reward, to consist of an exclusive ownership of it.* Surely this argument is at least not obviously "broken down." Its cogency, on

the contrary, is so obvious as not to be open to controversy. No rational man, knowing the meanings of the terms employed, could seriously deny the proposition that, *whatever* may be the subject-matter—whether land, or sea, or air—if only it “exists as a part of nature,” there can be no occasion for encouraging its “production” by the promise of a reward. So far as concerns land *viewed as the naturally existing “raw material” of farms, etc.*, there is no occasion for inducing production by the prospect of reward—and then, instead of denying this, “laying the whole stress of the argument” on the assertion that in point of fact “rent” *is not* even in part paid for the use of land, the raw material, but exclusively “for the labor invested in its improvement” into “made” farms and other artificial land-commodities. *This* assertion is made categorically, as we have seen. But the point so “asserted” is precisely that which the Doctor started out to *prove*—the *g. e. d.* of his “demonstration”—and what we here insist upon is that by his first position, at any rate (which we have just examined), the promised demonstration is no whit advanced. The “fact,” which he refers to as “breaking down” the argument that land, being a natural *datum*, should have been kept as public property—the “fact,” namely, that “land never (?) is found in its natural condition to be fit for human use”—this “fact,” we say, does not even tend to impeach the argument it is thought to destroy. For, whether or not land “in its natural condition” needs to be improved by labor before being used—whether it be itself directly available or be only the raw material of available land-commodities—in either case it remains true that, being a natural *datum*, there is no propriety in allowing individuals to exact a price for the use of it. Quite as little does the “fact” in question involve, as assumed, that “no such [improper] consideration *can be exacted*.” Let us look at it for one moment. The “fact” referred to is not that “land never is found in its natural condition to be”—*in any capacity whatsoever*—“fit for human use.” Had that been the assertion, it would have been clearly and absurdly untrue. But the context itself shows that what he means is simply that land is never found in nature fit to be used *SAVE as the raw material of farms and other artificial land-commodities*. But as such “raw material” there is no earthly question as to its being, as found in nature, “fit for human use.” The Doctor himself speaks of it as being “*prepared for cultivation*,” and as being that *upon which “buildings must be erected for the use of its cultivators.”* Surely to be susceptible of being “prepared for cultiva-

tion," and of being *built upon*, is to be "fit for human use." Can we say that "farms," when "made," are of use to mankind, and yet deny utility to the land which is the raw material out of which those farms are made, and without which these could not be had at all? Is *beef* not "fit for human use" because men must cook it before eating it? Are *metallic ores* "in their natural condition" devoid of all utility to mankind because labor must be bestowed upon them before they can be availed of as *tools*? These questions answer themselves. No one in his senses can doubt for a moment that land, though never so absolutely "in its natural condition," is THOROUGHLY "fit" for THIS [*highly important*] "*human use*," at any rate, to be "*improved into farms and building sites*!" Nay, if for nothing more than the stage upon which man, being a terrestrial animal, finds it convenient to remain most of the time, land, the dry surface of the world, is, though never so primitive in condition, "useful" to man to the extent of being INDISPENSABLE.

But if land is thus indisputably essential to all for use either as the surface upon which they are to live or as the raw material of needed farms and other artificial land-commodities, what is there to prevent the "owners" of this same indispensable natural element in the economy of human life from exacting a compensation for the use of it, as such surface or raw material, from those who *must* so use it, but cannot do so without the permission of them, the "owners" afore-said? Dr. Sturtevant protests that "no such compensation is or can be exacted. The nature of landed property forbids it." And, by way of "demonstrating" this proposition, he announces that "land never is found in its natural condition to be fit for human use"! What! (one might well ask) not even *to stand or lie upon, after one is tired of swimming or flying*? not even *to be improved by labor into "made" farms and building sites*? And if for these purposes it *can* be "used," and the available amount of it is limited, and what there is is "owned" by certain persons to whom the baron-made law gives the power to exclude every one from it at will—if all this is true, are we still to be told that "no such compensation [as rent for the natural powers of the land] is or can be exacted;" that "the nature of landed property forbids it"? Test the matter mentally by supposing a case: A shipwreck. Out of all on board, a single boat's crew, the ship's captain, two passengers and fifteen English sailors (together with the wives of all), reach and land upon a certain uninhabited, but habitable, island. This island is absolutely "in its natural condition," and con-

sequently, according to the views quoted, quite "unfit for human use." Upon the whole, its dry surface is preferable to the cradle of the deep, and accordingly all clamber up on that surface. After a devout thanksgiving by all, the captain, true to British principles, takes formal possession of the island in the name of Queen Victoria. A sort of *extempore* constitutional convention is then held. One passenger, who follows Henry George, "urges with great power of statement, and to many hearers plausibility of argument," that, instead of being privately appropriated, the fee of the whole island be kept as common property forever, actual occupancy of particular tracts being awarded to those paying the highest amount therefor, and the amounts thus collected as a land tax being applied, first, to the public expenses, and next, if anything remains, to afford just so much income to the inhabitants in equal shares. "If," he solemnly warns them, "if you allow individuals to claim the exclusive ownership of the soil, you will but bring about this state of things: an aristocratic land-owning class living in idleness and luxury upon their rents"—that is to say, upon a *tribute*, the exaction of which reduces to a minimum both the wages of labor and the profits of capital, thus sacrificing, by an unjust and disastrous reversal of the true rule of distribution, the majority to the minority, the producers of wealth to persons who in no way earn their peculiar privilege. This, and much more to the same effect, is urged; but—

" 'Tis now St. Leon's turn to rise."

The second passenger points out that, inasmuch as land is never found in its natural condition to be fit for human use, no rent can possibly be exacted for it until after labor has been invested in its improvement; while, of course—on the principle *post hoc ergo propter hoc?*—such rent as is exacted after such investment must be, exclusively, compensation for the labor, and not at all gratuitous, unearned tribute, as George teaches. Then, he warns the islanders that if they allow "the notions of some recent levelers" to prevail, their new home will *continue* to be wholly unfit for human use, faring "as the lands held in common by Indian tribes have fared," remaining still a "wilderness," and nothing more. Convinced by these reasonings, the sailors decide to allow the land to be privately appropriated. However, the captain, backed by his sailors, announces that the two passengers cannot be allowed to become land-owners, and proceeds, like a second William the Conqueror, to divide the entire island exclusively among the navigators (reserving the lion's share for himself). And then, with shame-

less inconsistency, the new-fledged land-owners declare, for the benefit of "whom it may concern," that TRESPASSERS upon their lands will be prosecuted according to law, but that any one desiring to hire desirable farm or building "sites" may apply to the owners "on the premises." In vain is the protest that no labor has yet been invested in the improvement of the land, and that consequently no price "is or can be exacted" for the privilege of resting on it and applying labor to its redemption. In vain the declaration that "The great natural law to which free competition brings all exchanges is that an owner can obtain payment for *his labor*, but NOT for *the natural qualities of the material things which he sells*. They can no more be bought and sold than the waters of the ocean. *This is just as true of land, provided it is subject to perfect freedom of exchange, as of all other things*. At bottom all exchanges are of labor for labor." But the sailors wholly fail to appreciate this view, and announce that he may have twenty-four hours in which to hire a "site," after which time, if caught "trespassing" on anybody's ground, he will be compelled either to earn his living "in the workhouse," or—to *leave the island!*

Can there be the least doubt in the world as to what would happen in such a case? "Competition" would be absolutely "free;" each land-owner would compete with every other in the attempt to "rent" his land or a portion of it to the two passengers; but, of course, no one of the sixteen would have an object in reducing his terms to *nothing*. From the very beginning, therefore, the passengers, if they did not emigrate, would have to offer *something* for the "privilege" of being allowed to work for their living. And this, remember, while there were still but two tenants to sixteen landlords. It goes without saying that when, as would inevitably be the case, these relations became reversed, and the land-*less* became by many times the majority of the population, the "something" to be paid would have increased in proportion.

We reject, then, without hesitation, the first of the three positions—the one, namely, in which it is argued that *inasmuch* as "land never is found in its natural condition to be fit for human use, but must be prepared for cultivation by processes which are always laborious, and often exceedingly costly," THEREFORE it must be that "the consideration which men call rent is not payment for the use of the natural powers of the land, but for the labor invested in its improvement." The trouble with this argument is that the premises *are true only in a sense in which they do not lead to the conclusion*. There is clearly

nothing in the fact that natural land is only the raw material of farms and building sites to prevent those "owning" this same raw material from exacting from others a consideration for the privilege of living upon it and working it up into the desired farms. In reading the assertion that "in this necessity"—*i. e.*, that of improving natural land—"is found the natural foundation for the private ownership of land," we must remember that it is often not the *owner* who does the improving, but some person whom he graciously permits, at so much a year, to "invest" *his* (the tenant's) "labor" in the improvement of the land. How can *one* man's labor be the "natural foundation" for *another* man's "private ownership of land"?

II. The Doctor's second position may be thus stated, mainly in his own words: "The theory of rent generally accepted by the English school (and traces of which may be found in many American writers) is that of Ricardo, according to which rent is a consideration for the use of land *over and above the interest of the capital invested in its improvement.* * * * The *foundation* (?) of this theory is that in the beginning of the settlement of a country [*even*] the best land will bear no rent. * * * The reason assigned is that there is more land [*even*] of the best quality than can be cultivated, and that consequently every one can have all the land he needs without rent. This assumption flatly contradicts the facts as they have been exhibited in the whole history of new settlements in North America (!) Cases without number [*sic*] have fallen under our notice in which two parcels of land of precisely equal *natural fertility* lay adjacent to each other, one of which was under cultivation, and would readily command a *rent* (?) of one-third of the crop. The other was not cultivated, *and would bear no rent.* * * * To this the advocate of Ricardo's theory replies that *this is just what the theory requires.* * * * On one of the tracts in question no labor has been expended, and therefore it will bear no rent" [yield no *interest*, he must mean, if correctly reporting Ricardo's advocate]. "What the cultivator is willing to pay for the tract that is cultivated is not *rent*, but simply *interest on the cost of bringing it into cultivation.* But here his argument breaks down. If the law of the case were that in such circumstances the so-called rent of the land is *just* THE interest of the capital invested in its improvement, then the nominal rent of the land *ought to be just equal to* THE *interest of that investment.* [But] this exactly contradicts well-known facts. If in such a case it was interest, instead of rent, which the cultivator pays, then the rent of newly-cultivated

land in the early settlements of Illinois *should have been not less than five dollars per acre*. This can be shown by figures. The cost of *making* a farm, as it was fitly called, was not less than ten dollars per acre. THE *rate* of interest prevailing at that time"—in what transactions, Doctor?—"was not less than 50 per cent. per annum. * * * If, then, it was interest on capital, not rent, which was paid for a new farm, the *rent* (?) *should not have been less than five dollars per acre*. The fact was that it never exceeded two dollars per acre!"

We confess that we should like to have one or two little points cleared up. For instance, it looks to us as though the major premise of the argument depended wholly upon the assumption that there is, as a matter of course, some *one* "rate of interest" which may be spoken of as "the" rate of interest, or "just THE interest," etc., *without discrimination as to the particular circumstances variously affecting the various transactions in question*. The argument is that if what was paid *was* INTEREST *at all*, its amount must have been THE amount which "interest" then and there consisted of. But this is erroneous. There is no such thing as "the," or "just the" interest on capital *irrespective of the conditions of investment*. Other things being equal, the rate (in a given region at a given time) varies according to the *length* and the *security* of the investment. Dr. Sturtevant himself elsewhere remarks: "In every branch of business, experience shows that some investments pay better than others. Why, then, should it be thought strange that a piece of good land should pay better than a piece of poor land?" Precisely so. And why, therefore, "should it be thought strange" that when money is put into such a form of investment as the improvement of land—a form in which the resulting improvement itself is, while it continues to exist, the very best security to the investor for the repayment of his money and a profit, in installments, while, furthermore, this condition of things can be counted on to continue *quite long enough* to allow of the completion of this reimbursement with an increase—why, we repeat, should it be thought strange that *such* an investment should draw a smaller "annual rate" of interest than others in which the prospects of repayment depend wholly upon *contracts*, the actual execution of which in the future may or may not prove enforceable, according to the degree in which such uncertain elements as the honesty and solvency of debtors shall have proved favorable or the contrary? In the loaning of money on various kinds of security it is always found that those who insist on the best

securities have to accept a much smaller rate of interest. Let any one come into Wall street with money to loan, and he will at once convince himself that if put into Government bonds or a "first mortgage" on the City Bank his capital will draw less interest than if he ventures it on "call loans" to speculators. Nay, the difference between the "rates" will be *far greater* than that between five dollars and two dollars "per acre" which, as reported from the West, is given as proving that the smaller rate *could not be* "interest"! It is not the "rate *per annum*," but the *nature of what it is paid for*, which determines whether a given payment is "interest" or "rent." And the one *disproof* of the "two dollars" being interest—the smallness of the rate—having wholly failed us, we are once more left exposed to the "reason assigned" by economists for holding that "in the beginning of the settlement of a country [even] the best lands will bear no rent;" that reason being that "there is more land [even] of the best quality than can be cultivated, and that consequently every one can have all the land he needs without rent." To the practical conclusiveness of this "reason" we must still adhere.

III. Dr. Sturtevant's third position (according to our analysis) is the one thus expressed by himself:

"At the point which we have now reached we are prepared to enunciate the general proposition that *everything* which is either bought or sold owes its exchangeable value to the labor which it costs to bring it into the condition in which it is offered for sale. Particular exceptions will occur in which it will be possible to procure for something offered for sale more than the labor which it has cost. A nugget of gold of great value may be found lying on the surface, and it may cost the finder nothing but to pick it up and transport it to a market. A particular mine may yield extraordinary returns for the labor expended in working it. A piece of land may be found which can be prepared for cultivation with very little labor. But in all these cases the general law still holds. The exchangeable value of the property depends on the labor which it will *ordinarily* cost to bring similar property into a similar condition."

Here we have his method of reconciling with his doctrine the cases, which every one has observed, in which landlords who had invested no labor or capital in their land have nevertheless commanded for the latter even very large prices. The law of value to which he appeals is undoubtedly a real one, but applies only to commodities which are purposely *produced* by labor for the purpose of being exchanged. Mill has put it thus: "*If the PRODUCTION of any, even the smallest,*

portion of the supply requires as a necessary condition a certain price, that price will be obtained for all the rest. We are not able to buy one loaf cheaper than another because the corn from which it was made, being grown on a richer soil, has cost less to the grower. The value, therefore, of an article (meaning its natural, which is the same with its average, value) is determined by the cost of that portion of the supply which is *produced and brought to market* at the greatest expense." The reason why this holds only in the cases mentioned is not far to seek. As Professor Cairnes remarks, "What at bottom maintains the connection between value and cost of production is, it must always be remembered, the power of choice residing in laborers and capitalists to decide between different occupations." Or, to use Mill's phrase: "The latent influence by which the values of things are made to conform in the long run to the cost of production is the variation that would otherwise take place in the supply of the commodity. The supply would be increased if the thing continued to sell above the ratio of its cost of production, and would be diminished if it fell below that ratio." *Cessante ratione, cessat et ipsa lex*. This reason for the law of value obviously does not apply in the case of land, which, as being a natural *datum*, is in no danger of having "the supply of it diminished if its value fell" ever so far. Indeed, it is only upon his theory that land can have no value at all, save when it *is* (so to speak) an artificial product—a "made farm," etc.—that the Doctor himself pretends that "the value of land" is subject to this law under which he seeks to take refuge. But as we have satisfied ourselves (in reviewing the "first position") that this theory is wrong, and that in point of fact the "owner" of land can and habitually does "exact a consideration" for the *advantage* which that land has, either in fertility or in situation, over the other land there and then available for the given purpose, and this *even when such "advantage" is not due at all to any investment by him or his assignor*—this being our position, we repeat, we must reject the explanation of the so-called "exceptions," and hold these to be simply actual instances in practice of what we claim to have shown to be quite possible in theory—namely, the successful exaction by those monopolizing the more desirable lands in use of a consideration, not only for their "investment," but also for even that portion of this "greater desirableness" toward which their investment has in no wise contributed.

CHARLES FREDERIC ADAMS.

SOME RECENT STUDIES IN PRE-HISTORIC ARCHÆOLOGY.

NO signal discovery of late has rewarded the steady increase in numbers and the wide-spread activity of the pre-historic archæologists in all countries. But their recent labors, although they may not have succeeded in advancing their outposts, unquestionably have greatly strengthened their base of operations. The most notable event in their recent annals has been the ninth session of the "International Congress of Pre-historic Anthropology and Archæology," which was held at Lisbon in the month of September, 1880. Great expectations were reasonably entertained that light would be shed upon the question of the "antiquity of man" by the labors of this congress. It was well known that its distinguished Secretary-General, Don Carlos Ribeiro, Director of the Geological Bureau of Portugal some ten years since, had reported that he had found traces of man's existence in the valley of the Tagus in deposits belonging not only to the Pliocene, but even to the Miocene period. This discovery, should it be confirmed, would afford the strongest corroboration of the principal evidence hitherto brought forward of the existence of "The Tertiary Man." We refer to the discoveries alleged to have been made by the late Abbé Bourgeois at Thenay, near Pontlevoy, in Central France, in deposits of the same remote geological epoch. In both localities the evidence was reported to be of precisely similar character. It was claimed that flint objects, bearing unmistakable traces of human workmanship, had been found *in place* in undisturbed deposits, which the fossils contained in them proved to belong to the Miocene period. It is evident, therefore, with what interest the developments of this congress were awaited by all who are occupied with anthropological studies.

Three questions at once suggest themselves in regard to both these alleged discoveries. *First*, what is the exact geological age of the deposits in which these objects are said to have been found? *Secondly*, must such articles *necessarily* be regarded as of artificial origin, or can they not be accounted for by purely natural agencies? *Lastly*, were they actually found, as alleged, *in place* in beds which had undergone no disturbance since they were deposited; or may they not have been introduced into these beds by some natural cause subsequently to their deposition?

The *first* question is addressed solely to geologists and palæontologists, and it is one that can be answered only after studies have been carried on upon the spot. It would appear that such investigations have resulted in a substantial agreement in opinion on the part of geologists that the deposits undoubtedly belong to the Tertiary epoch.

The *second* question is one for experts in pre-historic archæology—for those who have had the longest and widest experience in studying the characteristics presented by fragments of stone which have been intentionally broken by man, and in discriminating them from such as have been broken by natural agencies. To answer this question satisfactorily, however, it is not indispensable to first visit the locality from which the *pièces justificatives* are claimed to have come. Accordingly, Señor Ribeiro had already brought his discovery before the scientific world at the “International Congress of Pre-historic Archæology,” held at Brussels in 1872. He then exhibited several worked flints found by him in beds which he claimed to be the deposits of an ancient lake existing in Tertiary times in the lower portions of the Tagus Valley. Failing, however, at that time to convince the majority of inquirers of the necessary artificial origin of these objects, he sent a larger collection of them—some ninety-five in number—to Paris in 1878, to be placed in the Archæological Department of the Great Exposition. There they were to be submitted to the judgment of the assembled pre-historic archæologists of all nationalities, many of whom, including the writer, availed themselves of this opportunity of carefully studying them. The judgment pronounced at that time upon them by the eminent Curator of the Pre-historic Department of the Great Museum of St. Germaine, M. Gabriel de Mortillet, was that “twenty-two specimens bear unmistakable traces of intentional chipping, nine of which are described as coming from the Miocene.” In this opinion the writer entirely concurs. On the other hand, it should be stated that an experienced archæologist, M. Michael Hardy, of Dieppe, has since suggested that the so-called “bulb of percussion,” and also the marks indicating the places where other splinters have been detached, and even what appear to be the traces of intentional chipping, all of which can be seen upon the objects discovered by both the Abbé Bourgeois and Señor Ribeiro, can be accounted for by purely natural causes. He thinks they all have been produced by the action of the waves during storms breaking upon shores strewn with nodules of

flint, and dashing one against another. These conclusions, however, have been reached solely from the study of drawings of the various objects, which is a very different thing from the study of the objects themselves. On the contrary, many of the most competent authorities in pre-historic archæology have pronounced strongly in favor of their artificial origin, after a careful examination of the objects themselves. Especially is this true in regard to those that have been found in the valley of the Tagus.

Such, then, was the actual position of the question in regard to the artificial character of the so-called Tertiary flints at the time of the assembling of the congress at Lisbon. The great body of pre-historic students were agreed that the only convincing proof would be for others to find examples of similar objects in the identical localities in which Senor Ribeiro had made his discoveries, so that both the character of the objects themselves and the geological age of the deposits in which they occur might be investigated and determined on the spot. It was hoped that this might be accomplished in the course of a visit made by the members of the congress to the Desert of Otta, the celebrated locality from which the greater part of the objects had come. On that occasion several specimens showing the usually accepted mark of human workmanship rewarded the search of different explorers; but, unfortunately, they were all found upon the surface. Out of the crowd of eminent pre-historic archæologists, there assembled only Professor Guiseppe Bellucci, of Perugia, who succeeded in finding an object of flint *in situ*, still closely adhering to the conglomerate in which it had been embedded. In this condition it was seen by several witnesses, and so firmly was it fastened to the rock that it was necessary to use a hammer to detach it. The writer can testify to the keenness of vision and the great experience in searching for pre-historic relics possessed by Professor Bellucci, having been his companion in similar investigations in Italy. It does not, therefore, seem to him strange that Bellucci should have succeeded in the search for a test object where others failed. All the conditions of the problem must be taken into account. It must be recollected that the explorers were exposed to the burning rays of a southern sun in a treeless desert, with not a breath of cooling breeze. This was a condition of things more familiar to him than to most of the others, and his success, consequently, brings no disparagement to their energy or their experience. The object so discovered, when detached, was pronounced by Professor Bellucci to be a flint "flake." Great weight must be given

to this opinion respecting the artificial character of this particular specimen on account of the long experience in searching for pre-historic relics which Professor Bellucci has had, and which is evidenced by the extensive collection of them he has gathered at Perugia. Several of the experts present corroborated him in their judgment. In order, therefore, to understand the exact significance of this discovery, it will be necessary to explain what is the natural fracture of flint, and to define precisely what is meant by the technical term "flake." If a sharp blow is struck upon a mass of flint, or of a few other mineral substances, a keen-edged splinter of greater or less length will be detached, and at the spot where the blow fell a swelling more or less marked will be seen, to which the name of the "bulb of percussion" has been given. Mineral substances whose peculiarity it is to break in this manner are said to have the "conchoidal fracture," from their displaying convex elevations and corresponding concave depressions, like a shell. Accordingly, whenever we find a splinter of flint with the bulb of percussion upon it we know that it is the result of some kind of a blow. But such an isolated fragment showing a single bulb of percussion possesses but slight value as a piece of evidence, since the blow that produced it may have been as well the result of accident as of design. But when, in addition to the bulb of percussion upon one face, we find upon the opposite face one or more corresponding depressions, showing where previous blows in the same direction have fallen, then there arises a high degree of probability that such a combination of blows could not have sprung from chance. Several such coincidences existing upon the same fragment beget in the mind an absolute conviction that they must be the result of "design," displaying the handiwork of man as conclusively as does the watch found by a traveler crossing a heath, which is the well-known example used by Dr. Paley to introduce his argument upon "Natural Theology." Strictly speaking, therefore, the term "flake" should be applied only to splinters of flint answering to this description; but often that designation is loosely given to those which show nothing more than a well-marked bulb of percussion. Among the examples exhibited by Señor Ribeiro were many about which there could be no possibility of doubt that they are "flakes" in the strictest sense of the term; the question concerning them relates solely to the conditions under which they have been discovered. But, unfortunately, the specimen found by Professor Bellucci, about whose position there is no question whatsoever, seems to come under the doubtful category of those which

display simply a bulb of percussion. Still, so great is the writer's respect for Professor Bellucci's judgment upon questions of pre-historic archæology that he hesitates to express an opinion without having personally examined the object.

But, it may be asked, is it not attributing altogether too much importance to but very slight evidence to base a claim for man's existence in Tertiary times upon the discovery of a single flint flake in strata belonging to that period? There is, it may be replied, no lack of precedents for making such a claim as this. In the year 1870 a French geologist, M. Charles Tardy, discovered at Aurillac, in Auvergne, what was alleged to be a flint flake imbedded in a conglomerate belonging to the upper Miocene period, about whose geological age there could be no question, since it contained the bones of the *Dinotherium* and the *Machairodus*. Whereupon it was insisted that this flake furnished convincing proof that man was living as the contemporary of those huge extinct creatures, and the only dispute was as to whether the object was or was not an artificial "flake." So, too, Professor Boyd Dawkins, in his recent work on "Early Man in Britain," maintains that man's existence later in the middle Pleistocene period is established by precisely similar evidence. "Man is proved," he says, "to have belonged to the mid-pleistocene fauna by the discovery in 1872 in my presence of a flint flake in the lower brick earth at Corydon, by the Rev. Osmund Fisher. It was *in situ* in the same stratum of gravel in which I discovered the skull of the musk-bull in 1866, now preserved in the Museum of the Geological Survey." While, therefore, a true "flake," proved to have been found *in place* imbedded in an undisturbed Tertiary deposit, could not fail to be regarded as of capital importance in establishing the existence of "The Tertiary Man," prudent investigation must hesitate to base the proof of a fact pregnant with such startling consequences upon no firmer foundation than a mere "bulb of percussion."

Again, although there is no doubt that flint objects, exhibiting unquestionable marks of human workmanship, have been found in Miocene deposits in the valley of the Tagus, yet it is equally true that most of them have come from the surface, and, therefore, they cannot be considered as necessarily contemporaneous with such deposits. As for the few remaining examples which are claimed to have been discovered *in situ*, two things must be borne in mind: that the strata in which they have been found imbedded have been often swept and torn by powerful currents of water, and that such strata are every-

where traversed and creviced by numberless fissures and ravines. Consequently it cannot be asserted with truth that it is *impossible* for these objects to have been washed out of some quaternary deposit, and to have been lodged in one of these fissures, where they may have rested for centuries, and have taken on the tints and the gravelly incrustations which have been supposed to identify them with the Tertiary formation in which they have come to light.

To the *second* and *third* questions suggested, accordingly, we must reply that, although the evidence thus far discovered in the valley of the Tagus unquestionably tends to greatly strengthen the probability of the existence of "The Tertiary Man," still we feel constrained to wait for further developments. We must perforce join with one of the most cautious, as well as the most experienced, of pre-historic archæologists, Dr. John Evans, in rendering in this case the Scotch verdict, "Not proven."

A young French antiquary, Baron Joseph de Baye, has recently published a detailed account of important discoveries made by him relating to the Age of Polished Stone. He has had the good fortune to discover, and the learning and skill to explore in a thoroughly scientific manner, a series of artificial grottos, more than one hundred in number, that must be assigned to this period. They are all excavated out of the solid chalk which forms the sides of a valley called Petit-Morin, which lies about fifteen miles south of Epernay, in Champagne. His researches have extended over a period of some ten years, and have resulted not only in shedding new light upon the period in question, but in securing such an extensive and representative osteological collection as can be found nowhere else, and which renders a visit to the hospitable château of Baye almost indispensable to the student of pre-historic anthropology. Marvelous sagacity has been displayed in finding these grottos, of whose existence the appearance of the surface of the soil did not furnish the slightest indication. The gently sloping hillside gave no hint either in shape or color of the treasures it concealed. It was only soundings made with a steel rod that revealed the existence of cavities hidden beneath the surface.

Abundant evidence proves that natural caverns were the ordinary places of abode of the palæolithic man, and that such occupation of them continued during neolithic times has been established in as many as thirty different localities. But the number of natural caverns must always have been restricted, and, as they were also

frequently made use of as places of sepulture (certainly in the Age of Polished Stone), it is plain that neolithic man must have been constrained to provide himself with other habitations. That artificial caverns were excavated by him for this purpose is one of the new and interesting facts brought to light by the researches of the Baron de Baye. A similar, but more simply constructed, kind of chamber was also made to receive the dead, and in these as many as two thousand skeletons have been found buried, together with a few instances of incremation. Sometimes such a burial grot was found to contain the remains of many powerful young men, who had fallen in battle, as was proved by the hundreds of flint arrow-heads which lay hidden in the dust of the floor. These were almost universally of a novel and primitive type, for which the name of *pointes de flèche à tranchant transversal* has been generally adopted. They are of an exceedingly simple form, and about an inch in length, and have been made out of a fragment of a flint flake, with a broad, sharp edge, shaped like a chisel; and so little have they attracted attention hitherto that it is only recently that they have been recognized as being implements at all. Some question has been raised as to their use, but that they were really arrow-points is proved most conclusively by the fact that the Baron de Baye has discovered one of them deeply imbedded in a human vertebræ.

Those of the grottos which were excavated for habitations are very carefully made, and they still show plainly the marks of the flint axes by which the soft chalk has been cut. They generally have avenues leading up to them, which furnish a ready access, and they are preceded by a smaller vestibule, through which a narrow entrance conducts into an interior chamber. Of these the largest that the writer was able to examine was about twelve feet square. Often they are provided with an opening in the roof, for the purpose of ventilation, and, taking everything into consideration, they must have supplied dwelling-places as comfortable and as healthy as could readily have been procured at that early period. The worn and polished appearance of the sides of the narrow entrance-ways, and of some of the walls, shows that they must have been occupied for a long while.

But what has given the peculiar importance to these discoveries of the Baron de Baye is that they have furnished the first examples that have yet been found of sculptures belonging to the Age of Polished Stone. One of the strong arguments in support of the theory that the neolithic man belonged to a different race from the palæolithic

has been founded upon the absence of all traces of sculpture among the former, and its well-known prevalence among the palæolithic cave-dwellers in various countries of Europe. This difficulty does not seem to be at all relieved by this recent discovery. There is not to be found the slightest resemblance in the character of the sculpture of the two epochs. The cave-dwellers not only carved out of reindeer horn figures of animals in the round, but they engraved their forms with much spirit and artistic feeling upon their plates of ivory or of bone. In their attempts, however, at rendering the human figure, it must be admitted that they were not so successful. But they came much closer to nature than did the sculptors of the grottos of Petit-Morin, where was found sculptured in relief upon the walls a figure which was evidently intended to represent the form of a woman. In fact, it resembles somewhat the most archaic type of the human figure that has been discovered in Greece and the Orient, but it is far ruder than what Schliemann calls the "owl-faced" divinity, of which so many examples were discovered by him at Hissarlik. Even the few rude sculptures that have been found in this country, in the Western mounds and elsewhere, bear a much closer resemblance to "the human face divine" than does this figure. It has been found in seven different grottos, always sculptured upon the wall of the vestibule, and upon the left side only, as one enters. The eyes, nose and mouth are coarsely indicated, but the breasts are quite well defined, and around the neck is a collar formed of one or more rows of beads, with a central pendant, which in one instance is colored yellow.

In marked contrast with this failure in delineating the human form is the success with which is sculptured an axe of polished stone, fastened in its socket and joined to its wooden handle. This also has been found represented seven times over, and in more than one instance it is placed on the right and left of the entrance to the inner chamber. The blade has been colored black, and the edge is turned so as to face toward the inside. It is a most accurate delineation of the object itself, some ten of which have been found in one of the funeral grotts, ranged in order along the wall by the side of the skeletons, with the edges all pointing upward. One other object is also sculptured, the purport of which has not yet been determined. Beside axes of polished stone a nucleus of flint and two scrapers were found in the grottos, and also several implements made of bone. Pierced teeth of animals, to be worn as ornaments, and beads made

of various substances, including amber, were also met with. Twenty-three clay vessels, hand-made and of the rudest fabric, with numerous fragments, complete the catalogue of the articles discovered; but this list may be said to comprise about the whole of the industrial outfit known to the Age of Polished Stone.

Want of space constrains the writer to pass at once to the account of some pre-historic studies recently made in this country.

Early in the present year, at a meeting of the Boston Society of Natural History, the writer brought forward evidence tending, in his opinion, to prove that there once existed in New England a race of men different from and less advanced than the Indians. This evidence consisted in the discovery in numerous widely-separated localities, where none of the ordinary indications of Indian occupation could be found, of a large number of stone implements of much simpler form and coarser fabric than those which the Indians were in the habit of using. These objects seemed to exhibit a far more primitive type of stone implement than is the St. Acheal axe, which the pre-historic archæologists of Europe, following De Mortillét's system of classification, have hitherto regarded as the earliest type known. They appear to be indicative of man's earliest and rudest condition, representing his first essay at providing himself with any sort of a tool. Whether or not they must be regarded as actual relics of primeval man, perhaps it will be impossible ever to determine. However that may be, there would seem to be no *a priori* presumption against the theory that this continent may have been the scene of man's first appearance on this globe.

These peculiar objects have been found in regions as widely separated as is the vicinity of Boston (where they have occurred in seven different localities) from Lisbon and Jefferson in New Hampshire and Burlington in Vermont. In fact, the writer has been able to find them wherever sufficient search could be made; but they have always occurred only within certain quite restricted areas, not appearing elsewhere in the vicinity. The most usual of these new types is a sort of chopping or cutting tool of the most rudimentary description that can be imagined. It is simply a stone, one side of which is well adapted to be held in the hand, while the opposite side has been rudely brought to an edge by a slight process of chipping. Some of them, however, display a certain rough symmetry of form, having evidently been more or less chipped to an edge all around. A glance shows that these cannot be merely natural or accidental forms. Others have a shape more

elongated, somewhat resembling a chisel, while some have evidently been used for knives. Occasionally they are accompanied by "skin-scrapers," of the types common to the Age of Stone, or by little "piercers," which seem to be designed for boring holes in skins used for garments. So very simple, however, are all these new types, so slightly do they differ in appearance from stones that have been broken by accident, that hitherto they have been entirely overlooked both in Europe and in this country. It cannot be expected that an untrained eye will be able to discern at once the slight indications of design or of use that these objects present, but a candid and patient examination of them, it is believed, will make it evident.

But it has been argued that these objects may have been the work of the Indians, inasmuch as all over our country, associated with the usual better made Indian objects, there occur certain rude forms of implements, of which the so-called "shoe-shaped" celt may be adduced as an example. A careful comparison, however, of the two classes of implements reveals great differences between them. The rude Indian forms will be found to be almost always only unfinished articles, on which more labor was intended to be expended. Even in their rudeness they manifest a knowledge on the part of their makers of the art of chipping stone tools which was not possessed by the fabricators of these new rude types. Nevertheless, it may still be urged that, although the Indians undoubtedly had a class of skilled workmen, who knew how to fashion as beautiful stone implements as can be found anywhere in the world, yet there may have arisen many occasions when some untrained person may have needed to use for some simple or temporary purpose the first object that came to hand, and that these "new types" of implements may very well be relegated to this category. Such was the view in regard to them which the writer himself was first inclined to take. Upon further investigation, however, he was surprised to find the very same forms recurring over and over again, and in very different localities. It seemed difficult to account for this upon the supposition that they ever were chance objects, casually used and then rejected. Their prevalence seemed rather to imply an intention of fabricating a peculiar type of implement. Then it was found that similar types were abundant in localities where the most painstaking search failed to detect any of those ordinary traces of Indian occupation which are everywhere so frequent. Such are arrow-heads and the flakes of stone struck off in their fabrication; coarse hand-made pottery, and occasionally well-fashioned

implements of polished stone. This combination of conditions finally produced the conviction that they must be regarded as relics of another race than the Indians; for the number of these rude types occurring within a limited area implied that man had made a long sojourn in that locality, and if that man had been the Indian, surely some of his customary relics could hardly fail to occur.

These new types of implements are always fabricated of the hardest, heaviest and toughest kinds of stone to be found in the region where they occur, such as quartz and quartzite, felsite, and the most compact varieties of granite and syenite. Often it is evident that they have been fashioned out of a smoothed pebble that has come from the glacial drift, as they still retain a portion of the original surface or crust. This proves that such examples can only be regarded as *post-glacial* in date, whatever may have been the circumstances under which they have been found. Frequently they are to be found in the cuttings made in carrying roads along the sides of the familiar lenticular hills of glacial till, and in such cases originally they must have been buried several feet beneath the surface. Others have come from plowed fields adjacent to such localities.

If these new types are compared with the well-known palæolithic implements, made of argillite, which Dr. Charles C. Abbott was the first to discover in the gravel-beds of the Delaware River, at Trenton, N. J., the latter will be found to display more skill in the art of fabricating tools out of stone. The Trenton implements are about on a par in rudeness with the palæolithic axes of the St. Acheal type, which are found in the various river gravels of Europe, if we take into account the different nature of the materials out of which they are fashioned. Now the anthropologist will never believe that the axe of the St. Acheal type represents man's first tool. He has always reasoned that at first man must have made use of any simple natural object that came to hand to help supply his immediate need, such as a sharp stone or the branch of a tree. But from a sharp stone to the St. Acheal axe there is manifestly so great progress and development as to make it highly improbable that there were no intermediate stages, when ruder, simpler types of implements were in general use. That such simpler types heretofore have not been recognized does not prove their non-existence. Nay, it is more probable that they would be discovered in this country than in Europe, where the soil of the surface in all inhabited regions has

been subjected to such repeated upturnings during centuries of cultivation.

If we are to take into account geological considerations solely, it would seem to follow that the men who fashioned the Trenton implements, and who are to be placed, it is generally agreed, in *interglacial*, or even *pre-glacial*, times, must be regarded as an earlier race than those who fabricated these new types of implements, since these latter must be regarded as *post-glacial* in date. If, therefore, the men of the Trenton gravels belonged to the Esquimaux race, as many pre-historic archæologists maintain, and if they were gradually forced northward by the pressure of the later-come Indian tribes, it would follow, upon archæological grounds, that they must have become greatly degenerated by the time they reached New England, if we are to believe that both kinds of implements are the work of the same people.

On the other hand, if we pay regard to archæological considerations only, we must consider the men who only knew how to fashion the ruder sort of tools as belonging to the earlier race. But whether they belonged to an earlier or to a later race, it is highly probable that they were a people different from the Indians.

There was considerable discussion consequent upon the reading of this paper, in the course of which Mr. Frederic W. Putnam, Curator of the Peabody Museum, at Cambridge, took the position that the age of any object found buried in the earth cannot be established by purely archæological considerations, but must be determined by the geological conditions under which it has occurred. He thought that these indicate that these rude implements cannot be the work of a race of men earlier than the Indians, since they have mostly come from on or near the surface. Moreover, he pronounced himself unable to discover, upon archæological grounds, any material difference in their appearance from the acknowledged work of the Indians. As an additional argument against assigning any great antiquity to them, he instances the perfect preservation of the edges of certain specimens. To which the reply was made that many axes of the St. Acheal type, whose great antiquity is universally admitted, have been found with their edges as sharp as when they were first made.

Notwithstanding these objections, the writer thinks that the evidence already accumulated by him is sufficient to warrant his bringing the subject to the notice of archæologists and the public. Whether

or not the discovery will be accepted by them remains to be seen. At all events, it is hoped that others may feel a sufficient interest in the question to take part in the search for further evidence in other localities.

HENRY W. HAYNES.

POLITICAL RECOLLECTIONS AND NOTES.

II.

THE times were serious. The fun and frolic of 1840 had borne no fruit, and that part of our history could not be repeated. The campaign of 1844 promised to be a struggle for principle, and among the Whigs all eyes were turned for a standard-bearer to Mr. Clay, who had been so shabbily treated four years before. He was unanimously nominated on the 1st of May, with Theodore Frelinghuysen as the candidate for Vice-President. The party issues were not very sharply defined, but this was scarcely necessary with a candidate who was proverbially regarded as himself "the embodiment of Whig principles." On the subject of annexation he clearly defined his position in his letter of the 17th of April to the *National Intelligencer*. He declared that annexation and war with Mexico were identical, and placed himself squarely against it except upon conditions specified which would make the project of immediate annexation impossible. On the slavery question he had not yet seriously offended the anti-slavery element in his own party, and was even trusted by some of the voting anti-slavery men. In a speech at Raleigh, in April of this year, he declared it to be "the duty of each State to sustain its own domestic institutions." He had publicly said that the general Government had nothing to do with slavery save in the matters of taxation, representation, and the return of fugitive slaves. He had condemned the censure of Mr. Giddings in 1842 as an outrage, and indorsed the principles laid down in his tract signed "Pacifcus," on the relations of the Federal Government to slavery and the rights and duties of the people of the free States. In his earlier years he had been an outspoken emancipationist, and had always frankly expressed his opinion that slavery was a great evil. These considerations, and especially his unequivocal utterances

against the annexation scheme, were regarded as hopeful auguries of a thoroughly united party, and its triumph at the polls; while Mr. Webster, always on the presidential anxious-seat, and carefully watching the signs of the political zodiac, now cordially lent his efforts to the Whig cause.

With the Democracy Mr. Van Buren was still a general favorite. His friends felt that the wrong done him in 1840 should now be righted, and a large majority of his party undoubtedly favored his re-nomination. But his famous letter to Mr. Hammet, of Mississippi, dated March 27, on the annexation of Texas, placed a lion in his path. In this lengthy and elaborate document he committed himself against the project of immediate annexation, and the effect was at once seen in the decidedly unfriendly tone of Democratic opinion in the South. He had been faithful to the slave oligarchy in many things, but his failure in one was counted a breach of the whole law. By many acts of patient and dutiful service he had earned the gratitude of his Southern task-masters; but now, when driven to the wall, he mustered the courage to say, "Thus far, no further;" and for this there was no forgiveness. General Jackson came to his rescue, but it was in vain. The Southern heart was set upon immediate annexation as the golden opportunity for rebuilding the endangered edifice of slavery, and Mr. Van Buren's talk about national obligations and the dangers of a foreign war was treated as the idle wind. The Southern Democrats were bent upon his overthrow, and they went about it in the Baltimore Convention of the 27th of May as if perfectly conscious of their power over the Northern wing of the party. They moved and carried the "two-thirds rule," which had been acted on in the National Convention of 1832, and afterward in that of 1835, although this could not have been done without the vote of the majority of the convention, which was itself strongly for Van Buren. The rule was adopted by a considerable majority, the South being nearly unanimous in its favor, while the North largely "supplied the men who handed Van Buren over to his enemies with a kiss." Even General Cass, the most gifted and accomplished dough-face in the Northern States, failed to receive a majority of the votes of the convention on any ballot, and James K. Polk was finally nominated as the champion of immediate annexation, with George M. Dallas as the candidate for Vice-President.

The nomination was a perfect surprise to the country because Mr. Polk was wholly unknown to the people as a statesman. Like

Governor Hayes, when nominated in 1876, he belonged to the "illustrious obscure." The astonished native who, on hearing the news, suddenly inquired of a bystander, "Who the devil is Polk?" simply echoed the general feeling, while his question provoked the general laughter of the Whigs. For a time the nomination was somewhat disappointing to the Democrats themselves; but they soon rallied, and finally went into the canvass very earnestly and with a united front. The Whigs began the campaign in high hopes, and in fact with unbounded confidence in their success. Their great captain was in command, and they took comfort in his favorite utterance that "truth is omnipotent and public justice certain." To pit against him such a pigmy as Polk seemed to them a miserable burlesque, and they counted their triumph as already perfectly assured. They claimed the advantage on the question of annexation, and still more as to the tariff, since the act of 1842 was popular and Polk was known to be a free-trader of the Calhoun school. As the canvass proceeded, however, it became evident that the fight was to be fierce and bitter to the last degree, and that the issue after all was not so certain. Mr. Polk, notwithstanding his obscurity, was able to rouse the enthusiasm of the party North and South to a very remarkable degree. The annexation pill was swallowed by many Democrats whose support of him had been deemed morally impossible. In New York, where the opposition was strongest, leading Democrats, with William Cullen Bryant at their head, denounced the annexation scheme and repudiated the paragraph of the National platform which favored it, and yet voted for Polk, who owed his nomination solely to the fact that he had committed himself to the policy of immediate and unconditional annexation, thus anticipating the sickly political morality of 1852, when so many men of repute tried in vain to save both their consciences and their party orthodoxy by "spitting upon the platform and swallowing the candidate who stood upon it." History will have to record that the action of these New York Democrats saved the ticket in that State, and justly attaches to them the responsibility for the very evils to the country against which they so eloquently warned their brethren. The power of the spoils came in as a tremendous make-weight, while the party lash was vigorously flourished, and the "independent voter" was as hateful to the party managers on both sides as we find him to-day. Those who refused to wear the party collar were branded by the "organs" as a "pestiferous and demoralizing brood," who deserved "extermination." Discipline was vigorously enforced and made to

take the place of argument. As regards the tariff question, Mr. Polk's letter to Judge Kane, of Philadelphia, of the 19th of June, enabled his friends completely to turn the tables on the Whigs of Pennsylvania, when "Polk, Dallas and the Tariff of 1842" was blazoned on the Democratic banners, and thousands of Democrats were actually made to believe that Polk was even a better tariff man than Clay. This letter, committing its free-trade author to the principle of a revenue tariff, with "reasonable incidental protection to our home industries," was translated into German and printed in all the party papers; and as a triumphant effort to make the people believe a lie, and a masterpiece of political duplicity employed by a great party as a means of success, it had no precedent in American politics. In later times, however, it has been completely eclipsed by the scheme of "tissue ballots" and other wholesale methods of balking the popular will in the South, by the successful effort to cheat the nation out of the right to choose its Chief Magistrate in 1876, and by the startling bribery of a great commonwealth four years later, now unblushingly confessed by the party leaders who accomplished it.

In the meantime the spirit of discontent began to manifest itself among the Whigs of the South respecting Mr. Clay's attitude on the question of annexation, and in a moment of weakness he wrote his unfortunate "Alabama letter" of the 27th of July. In that letter he said: "I do not think that the subject of slavery ought to affect the question one way or the other. Whether Texas be independent or incorporated into the United States, I do not believe it will prolong or shorten the duration of that institution." He also declared that he would be "glad to see it, without dishonor, without war, with the common consent of the Union, and upon just and fair terms." These words were perfectly chilling to his anti-slavery supporters, who were utterly opposed to annexation on *any* terms, because the power of slavery would thus inevitably be extended and strengthened in the United States. The letter was an irreparable mistake. It was a fresh example of his besetting tendency to mediate between opposing policies, and undoubtedly drove from his support many who would otherwise have followed the Whig banner to the end.

But the Whigs kept up the fight. The issues were joined, and it was too late to change front. The real question in dispute was that of annexation, and the election of Polk was certain to secure it, and to involve the nation in war. Clay was unquestionably right in saying that annexation and war were identical; and, although on the slavery

question he might be feared as a compromiser, there was no reason to doubt that, if elected, he would vigorously resist the annexation scheme, except upon conditions already stated, which could not fail to defeat it as a present measure, and avoid the calamities of war. I was inexpressibly disappointed and grieved by his letter; but I agreed with Cassius M. Clay that opposition to annexation except "with the common consent of the Union" was practically absolute opposition, and I therefore kept up the fight in which I had enlisted in the beginning, and made my first venture as a stump speaker. I cared little about the old party issues. I had outgrown the teaching of the Whigs on the subject of protection, and especially their then pet dogma of "the higher the duty the lower the price of the protected article." As to a national bank, I followed Webster, who had pronounced it "an obsolete idea"; and I totally repudiated the land policy of the Whigs, having at that early day espoused the principle that the public lands should cease to be a source of revenue, and be granted in small homesteads to the landless poor for actual settlement and tillage. But on the subject of slavery, though it had escaped my attention in the hurrah of 1840, I was thoroughly aroused. This came of my Quaker training, and the speeches of Adams and Giddings, the anti-slavery newspapers, and the writings of Dr. Channing, all of which I had been reading with profound interest since the Harrison campaign. Being perfectly sure that annexation would lead to slavery extension and war, I thought it my clear and unhesitating duty to resist the election of Polk with all my might. This I did to the end, and in doing it I employed substantially the same arguments on which I justified my separation from the Whigs four years later.

The contest proceeded, with its variety of charges and counter-charges, and was prosecuted on both sides with extraordinary vigor and zeal in every part of the Union. I think it was everywhere and preëminently a struggle between the men of brains on either side. I am quite sure this was true in my own State. Indiana was remarkable at that time not only for her gifted stump orators, but for her men of real calibre and power of argument. On the side of the Whigs were such men as Oliver H. Smith, Joseph G. Marshall, George G. Dunn, Joseph L. White, Richard W. Thompson, Caleb B. Smith, George H. Proffet, Henry S. Lane, Samuel W. Parker and James H. Cravens. The Democrats could boast of Tilghman A. Howard, James Whitcomb, Edward A. Hannegan, William W. Wick, John Law, Joseph A.

Wright, Jesse D. Bright, John W. Davis, Thomas J. Hanley, and John L. Robinson. The best talking talent of the nation was called into the service, including such Democratic giants as Thomas H. Benton, William Allen, Silas Wright, Robert J. Walker, James Buchanan and Daniel S. Dickinson; and such Whigs to match them as Daniel Webster, Rufus Choate, Thomas F. Marshall, Thomas Corwin, S. S. Prentiss, Thomas Ewing and W. C. Preston. The fight was more ably, if not more hotly, contested than any preceding national struggle, raging and blazing everywhere, while the forces marshaled against each other were more evenly balanced than in that of any contest since the year 1800. The race was so close that the result hung in agonizing doubt and suspense up to the evening following the election. Party feeling rose to a frenzy, and the consuming desire of the Whigs to crown their great chief with the laurels of victory was only equaled by that of the Democrats for the triumph of the unknown Tennessean, whose nomination had provoked the distasteful laughter of the enemy in the beginning.

It is not possible to describe the effect of Mr. Clay's defeat upon the Whigs. It was wholly unexpected, and Mr. Clay especially remained sanguine as to his triumph up to the last moment. When the result became known it was accepted by his friends as a great national calamity and humiliation. It shocked and paralyzed them like a great tragedy. I remember very vividly one zealous Whig, afterward a prominent Free-Soiler and Republican leader, who was so utterly overwhelmed that for a week he lost the power of sleep and gave himself up to political sorrow and despair. Letters of the most heartfelt condolence poured in upon Mr. Clay from all quarters, and the Whigs everywhere seemed to feel that no statesman of real eminence could ever be made President. They insisted that an overwhelming preponderance of the virtue, intelligence and respectability of the country had supported their candidate, while the larger element of ignorance and "unwashed" humanity, including our foreign-born population, gave the victory to Mr. Polk. Their faith in Republican government was fearfully shaken, while the causes of the great disaster were of course sought out and made the text of hasty but copious moralizings. One of these causes was the Kane letter, which undoubtedly gave Mr. Polk the State of Pennsylvania. Another was the baneful influence of "nativeism," which had just broken out in the great cities, and been made the occasion of such frightful riot and bloodshed in Philadelphia as to alarm our foreign-born citizens, and throw them almost

unanimously against the Whigs. The Abolitionists declared that Mr. Clay's defeat was caused by his trimming on the annexation question, which drew from him a sufficient number of conscientious anti-slavery men to have turned the tide in his favor. The famous Plaquemine frauds in Louisiana unquestionably lost that State to Mr. Clay. This infamous conspiracy to strangle the voice of a sovereign State was engineered by John Slidell, and it consisted in the shipment from New Orleans to Plaquemine of two steamboats loaded with roughs and villains, whose illegal votes were sufficient to turn the State over to the Democrats.

But the cause of Mr. Clay's defeat which was dwelt upon with most emphasis and feeling was the action of the Liberty party. Birney, its candidate for President, received 64,653 votes, and these, it was alleged, came chiefly from the Whig party. The vote of these men in New York and Michigan was greater than the Democratic majority, so that, if they had united with the Whigs, Clay would have been elected in spite of all other opposition. Mr. Polk's plurality over Clay in New York was only 5,106, while Birney received in that State 15,812, and Horace Greeley insisted that if only one-third of this vote had been cast for Mr. Clay he would have been President. The feeling of the Whigs against these anti-slavery men was bitter and damnatory to the last degree. The Plaquemine frauds, the Kane letter, and everything else, were forgotten in the general and abounding wrath against these "fanatics," who were denounced as the betrayers of their country, and of the cause which a very great and critical opportunity had placed it in their power to save. "The Abolitionists deserve to be damned, and they will be," said a zealous Whig to an anti-slavery Quaker; and this was simply the expression of the prevailing feeling at the time, at least in the West.

But this treatment of the Abolitionists was manifestly unjust. Their organization four years before was neither untimely nor unnecessary, but belonged to the inevitable logic of a great and dominating idea. A party was absolutely necessary which should make this idea paramount, and utterly refuse to be drawn away from it by any party divisions upon subsidiary questions. It should be remembered, too, that the Liberty party was made up of Democratic as well as Whig deserters, and that if it had disbanded, or had not been formed, the result of this election would have been the same. The statement of Mr. Greeley that one-third of Birney's vote in New York would have elected Clay was unwarranted, unless he was able to show what would

have been the action of the other two-thirds. In justice to these Abolitionists, it should also be remembered and recorded, to say the very least, that Mr. Clay himself divided with them the responsibility of his defeat by his Alabama letter, and that now, in the clear perspective of history, they stand vindicated against their Whig assailants, whose fevered brains and party intolerance blinded their eyes to the truth. Doubtless there were honest differences of opinion as to the best method of serving the anti-slavery cause in this exasperating campaign, and these differences may still survive as an inheritance; but abolitionism, as a working force in our politics, had to have a beginning, and no man who cherishes the memory of the old Free-Soil party and of the larger one to which it gave birth, will withhold the meed of his praise from the heroic little band of sappers and miners who blazed the way for the armies which were to follow, and whose voices, though but faintly heard in the whirlwind of 1840, were made significantly audible in 1844.

But the war against slavery was not at all intermitted by this victory of the Democrats. Events are schoolmasters, and this triumph of slavery only quickened their march toward the final catastrophe. Cassius M. Clay, who had espoused the Whig cause in this canvass with great vigor and zeal, and on anti-slavery grounds, reënlisted in the battle against slavery, and resolved to prosecute it by new methods. He had been sorely tried by Mr. Clay's Alabama letter and the Whig defeat, but he was now armed with fresh courage, and resolved "to carry the war into Africa" by the establishment of his newspaper, the *True American*, in Lexington, in his own State. His arraignment of slavery was so eloquent and masterly that a large meeting of slaveholders appointed a committee to wait on him and request the discontinuance of his paper. His reply was, "Go, tell your secret conclave of cowardly assassins that Cassius M. Clay knows his rights, and how to defend them." These words thrilled all lovers of liberty, and sounded to them like a trumpet-call to battle. In the meantime the hunger for immediate annexation had been whetted by the election of Mr. Polk, and its champions hurried up their work, and pushed it by methods in open disregard of the Constitution and of our treaty obligations with Mexico. In the last hours of the administration of John Tyler the atrocious plot received its finishing touch and the Executive approval, and, in the apt words of the ablest and fairest historian of the transaction, "the bridal dress in which Calhoun had led the beloved of the slaveocracy to the Union was the torn and tattered Constitution

of the United States." War with Mexico, as prophesied by the Whigs, speedily followed. As early as August, 1845, General Taylor was ordered by President Polk to advance to a position on the Nueces. In March of the following year, in pursuance of further orders, his army again advanced, taking its position on the east bank of the Rio Grande, and, of course, on the soil of Mexico. Hostilities naturally followed, and after two battles the President, in his message to Congress, declared that "American blood has been shed on American soil." This robust Executive falsehood, with which the slave power compelled the President to face the civilized world, must always hold a very high rank in the annals of public audacity and crime. It is what Thomas Carlyle might have styled "the second power of a lie," and is only rivaled by the parallel falsehood of Congress in declaring that "by the act of the Republic of Mexico a state of war exists between that Government and the United States." In the message of the President referred to, he recommended that a considerable sum of money be placed at his disposal for the purpose of negotiating a peace, and it was on the consideration of this message that David Wilmot fortunately obtained the floor, and moved his memorable proviso for the interdiction of slavery in any territory which might be wrested from Mexico by our arms. This was the session of Congress of 1846-47, and the proposition passed the House with great unanimity as to Northern members. At the following session of Congress, on the 28th of February, 1848, the proviso again came before the House, and the motion to lay it on the table failed, all the Whigs and a large majority of the Democrats from the free States voting in the negative. It passed the House on the 13th of December following, on a similar division of parties and sections, but the Senate refused to concur, and the Thirtieth Congress adjourned without making any provision whatever for the organization or government of our recently acquired Territories.

It is worth while to notice in passing that, on the first introduction of the Wilmot Proviso, General Cass was decidedly in its favor; but on the 24th of December, 1847, he wrote his famous "Nicholson letter," proclaiming his gospel of "popular sovereignty" in the Territories, which proved the seed-plot of immeasurable national trouble and disaster. "I am strongly impressed with the opinion," said he, "that a great change is going on in the public mind on this subject—in my own mind as well as others"; and he had before declared that the Wilmot Proviso "will be death to the war, death to all hope of getting an acre of territory, death to the administration, and death to

the Democratic party." This was thoroughly characteristic, and in perfect harmony with his action, already referred to, respecting the Quintuple treaty; but it showed how the political waters were being troubled by the slavery question, and how impossible it was to accommodate the growing anti-slavery feeling of the country by any shallow expedients.

But another conspiracy against freedom was now hatched; and if the Senate had strangled the Wilmot Proviso, it was gratifying to find the House ready to strangle this monster of Senatorial birth. I allude to the now almost forgotten "Clayton Compromise," which passed the Senate by a decided majority on the 26th of July. By submitting the whole question of slavery in all our Territories to the Supreme Court of the United States, as then constituted, it would almost certainly have spawned the curse in all of them, including Oregon, which had long been exposed to peril and massacre by the reckless opposition of our slave-masters to the establishment of a government there without the recognition of slavery. The defeat of this nefarious proposition, which was happily followed by the passage of a bill giving Oregon a territorial government, is largely due to Alexander H. Stephens, whose motion to lay it on the table in the House prevailed by a small majority. In this action he had the courage to separate himself from the great body of the leading men of his own section, but in doing so he was prompted by his supreme devotion to slavery. He was unwilling to trust the interests of the South in the hands of the Supreme Court, and his speech of August 7th, in the House of Representatives, in defense of his motion, gave very plausible reasons for his apprehensions; but the Dred Scott decision of a few years later showed how completely he misjudged that tribunal, and how opportunely his blindness came to the rescue of freedom. It seems now to have been providential; for in this continental plot against liberty the superior sagacity of Calhoun and his associates was demonstrated by subsequent events, while Mr. Stephens, with his great influence in the South, could almost certainly have defeated it if he had become its champion instead of its enemy.

GEORGE W. JULIAN.

A FORMULA FOR CALCULATING THE ECONOMIC EFFECTS OF OUR TARIFF.

THE argument in favor of Free-Trade is exceedingly lucid, and is capable both of concise statement and clear exposition. Making, necessarily, no use of technical terms, it is, on the contrary, susceptible of the most precise and scientific elucidation in the common words of every-day use. In addition to this, it has been profusely illustrated by the analogy that possesses more influence than any other with the practical man, viz.: that of his own individual experience. He certainly finds it to his private advantage to buy in the cheapest and sell in the dearest market. It ought not to be a difficult thing to convince him that the nation will be benefited by a similar course of action.

Nevertheless, as a matter of fact, the great majority of our practical men refuse their assent to this self-evident proposition. The clear-headed advocates of Free-Trade, for they are clear-headed, have wasted their arguments. In their despair they attribute their defeat to the practical man's selfishness and pig-headedness. As to the former, they are in some instances justified in their assertions. But when honest in his convictions, as is generally the case, I believe the obstinacy of the practical man to be explainable by a circumstance not altogether to the credit of his theoretical opponents. In one respect he is more scientific than more accurate thinkers. Not placing much confidence in logic, which is very apt only to muddle him, he is driven by that very circumstance to refuse his assent to any logical result, no matter how self-evident it may seem, until he has, or thinks he has, verified it by an appeal to the facts within his own experience. Minds, on the other hand, more capable of appreciating the force of argument are apt to give too implicit confidence to logical deductions. If there remain a few facts apparently not in full accord with well-established logical results, their tendency is to take it for granted that the discordance is only apparent. The only method, however, through which original truths are discovered is to notice these discrepancies, and to refuse to rest satisfied with any theory not in apparent, as well as real, accord with facts. Verification is the only method of science, and the writer at least feels a profound respect for the practical man because he is so persistent—or, if you please, obstinate—in demanding

that theory shall have explained all the facts, both apparent and real, before it shall command his assent. Our practical friend, therefore, upholds protection because he sees, or thinks he sees, that the nation has grown richer under it, and because he has also noticed other facts that do not appear to him to be what they should if Free-Trade reasoning is correct in its assumptions. But, while correct in his general method, the practical man rarely possesses either the leisure, the knowledge or the ability to apply that method properly. In this paper the writer, who is a theorist, but a theorist who believes in verification, will attempt to apply it for him to the deductions of Free-Trade.

First, then, What is the principle of Free-Trade? It is usually stated in one or both of two ways supposed to be synonymous. The first is, that it is to the advantage of any nation to produce those things in the production of which she possesses some relative advantage, and to purchase of other nations such commodities as she can only produce for herself at a relative disadvantage; and also that the individuals composing the nation, in seeking their private interests, will effect this result if unrestricted in their actions. The second statement differs from this only in substituting the idea of cheapness for relative advantage. What can be more self-evident than the first of these propositions, or what more clearly synonymous with the first than the second? Despite their plausibility, let us proceed, in deference to the obstinacy of the practical man, to test these propositions by the process of verification.

We must ascertain, then, what the theory declares the facts should be, and we can then compare them with those we find to exist. In order to do this we will ask the Free-Trader if he can inform us what measures the gain to the world of an unrestricted commerce. He is ready with his answer, and replies that the gain is the additional produce secured by the increase in the efficiency of labor that results from each nation engaging in the occupations in which its labor can, relatively, produce the most. It would be hard to cavil at this answer from any standpoint. It is evident if a day's labor will produce a yard of cloth or a bushel and a half of wheat in America, and a yard and a half of cloth or a bushel of wheat in England, that the world gains on this amount of production half a yard of cloth and half a bushel of wheat if England weaves all the cloth and America grows all the wheat. So far so good.

Now we will ask him for a measure of the separate gain of England

and America that arises from the above division of labor and exchange of products. Again we have a reply, not quite so concise as before, but still an extremely clear and logical one. He tells us that this gain to the world is divided according to the economic law known as the Equation of International Demand. That is, if our demand for English goods is greater than her demand for ours, the larger part will go to England; or, if the contrary be the case, to us. And, though it is conceivable that demand and supply might be such that one nation absorbed the whole benefit, it could do no more. In no event could the other suffer loss; for, when England asked more for cloth than America could make it for, America would weave it herself; and, when America asked more for wheat than the cost of raising it in England, England would grow the wheat. The gain of England will be measured by the price she gets for her cloth in excess of the price at which she would otherwise sell it, plus the difference between the price she pays for wheat and what it would cost her to raise it. Likewise, the gain of America is the difference between the cost of importing the cloth and producing it at home, plus any advance in the price of her wheat.

No logic can be more perfect than this. Indeed it is so very clear that it has never occurred to its advocates to compare these two sums, and to verify the conclusion that the gain to the world is really equivalent to the sum of the gains of England and America, as ascertained by their own formula. It might have been expected that such of them as had been taught at school to prove their sums would have done this from force of habit, and perhaps they might if their deductions had not been so very clear and logical. It may not, however, be a waste of time to do it for them.

We will proceed, then, to calculate the gain that results to the world from the interchange of wheat and cloth between England and America. Before it took place one American laborer produced a bushel and a half of wheat and another a yard of cloth, while one English laborer produced a bushel of wheat and a yard and a half of cloth. Hardly, says the practical man at our elbow. The English laborer is not more efficient in the production of cloth than the American. The same labor and the same machinery will produce at least as much cloth here as anywhere in the world. Neither, for that matter, is there any relative difference in the efficiency of the English and American agriculturist. If anything, English farms are better cultivated than American. We sell wheat to England because our

land is more fertile than hers; she sells cloth to us because she gets the same labor for less money. It makes no difference to the world whether England or we make this cloth, so long as the same quantity of it is produced. Whether the fertile land of America is cultivated in the place of the more sterile land of England does make a difference, however. If it is, the same labor will produce a greater product, and a gain to the world will result. We must change our statement, and say that the two American laborers produced one yard of cloth and a bushel and a half of wheat, and the two English laborers one yard of cloth and one bushel of wheat. It would soon result from these nations trading together that both the American laborers would till the soil and raise three bushels of wheat, and both the English laborers would weave cloth and turn out two yards of it per day. The world is richer through this intercourse by one-half bushel of wheat, which, we are told, England and America will divide in some proportion. Let us see what that proportion will be if each sells its product to the other at its cost price, or at the same advance above or decline below its cost price.

Proceeding to ascertain what these cost prices will be, we find that they will depend on the price of labor in the two countries. On what will the price of labor depend? Why, on the amount of food, in this case supposed to be wheat, which labor can produce. If \$1.50 per day is paid for labor in America, \$1 per day will be the price of similar labor in England. The cost price of home-grown wheat will therefore be \$1 per bushel in each country, and the cost price of home-made cloth will be \$1 per yard in England, and \$1.50 per yard in America. If the two nations exchange their wheat and cloth at cost price, or at an equal advance over cost price, as they will do if the demand of each for the goods of the other is the same, England gains nothing on her imported bushel of wheat,¹ and America gains 50 cents on her yard of imported cloth. England will gain nothing by the trade unless she can induce her people to consume less wheat or incite the American people to use more cloth than would naturally be the case. We have now obtained a precise verification of Free-Trade reasoning. Not only do we find that the combined gain of the two nations exactly equals the gain to the world, but we have also ascertained the interesting fact that, when the Equation of International

¹ Or, rather, her gain would be infinitesimal on the quantities of labor we are comparing. What gain would fall to her would result entirely from her margin of cultivation being raised, and a loss to America, which we have also disregarded, would likewise occur from her margin being lowered.

Demand is neither favorable nor unfavorable to either nation, America gets the whole gain, as it is eminently fitting she should, as it is the efficiency of her labor, and not that of England, that has been increased. What can give us greater confidence in our principles than the discovery, by means of them, of unexpected truths? Two suspicious circumstances, however, remain. The one is that England so stoutly advocates a policy from which she derives no gain, while America as stoutly opposes a policy from which she might make a great deal. This circumstance fortunately need not greatly disturb us, as the well-known benevolent interest which England takes in the affairs of her neighbors, and the pig-headedness of American protectionists, is sufficient to explain a much greater discrepancy between what does and what should occur. The other circumstance is more serious. It is that as our two American laborers have produced three bushels of wheat of the value of \$3, while our two English laborers have produced two yards of cloth of the value of \$2 only, the value of our national product should be 50 per cent. more than the value of England's. Statisticians tell us, however, that the value per capita of her products and ours is almost identical. If true, this is an ugly fact.

But, just as we were about to inveigh against the reliability of statistics, our practical friend again interrupts us with the remark that he cannot buy a yard of cloth for \$1. He says he has to pay \$3 for a yard of English cloth and \$4 for a yard of American, and that this price is made up in England of \$1 for raw material, \$1 for wages and \$1 for the profits of manufacturers, middlemen, storekeepers, etc., and in America of \$1 for raw material, \$1.50 for wages and \$1.50 for profits.¹

What our friend says is undoubtedly true, and to the purpose. Let us see how it affects the relative gains of the two countries in this interchange. As it does not increase America's purchasing power, and does increase the purchasing power of England, the fact that the price of English cloth is \$3, instead of \$2, as we before calculated, must increase the demand for our goods and decrease the number of yards of cloth we can buy. England must consume more of her own cloth or the Equation of International Demand will incline in our favor and enable us to thank Free-Trade for another blessing. But, suppos-

¹ This last figure is not exact. American capital will only be 50 per cent. in money value above the same amount of English capital to the extent in which it was produced by higher-priced American labor. So far as made up of raw material or imported commodities, its money value will be the same.

ing the equation to be unaffected, we find that England gains no more on her import of wheat than before, as the price, or the production, of that article is not altered; but America now makes a saving of \$1, instead of 50 cents, on the importation of a yard of cloth. Very fortunate for America; but what becomes of our beautiful verification? The joint sum of the two national gains is double the whole gain to the world. We certainly have not departed from the formulas furnished us by the Free-Traders. We shall be obliged to look to them for the explanation. Perhaps they can furnish it, for they have an uncommon ability in such things. At present the discrepancy disturbs us. The matter needs looking up. Suppose we take another point of view. When isolated, America produced the same amount of cloth as England, and half a bushel more wheat of the value of 50 cents. We produced then, at English prices, \$2 worth of cloth and \$1.50 worth of wheat, a total of \$3.50, while England produced a total value of only \$3. How is it now? According to Free-Trade we could gain or save by that policy \$1 (50 cents through increased production and 50 cents through trade), but from what source is not exactly clear, as England has lost nothing. We should therefore receive, as the result of the efforts of our two laborers, a value of \$4.50, and England a value of \$3. What have we really received? Why, three bushels of wheat of the value of \$3. What has England received? Why, two yards of cloth of the value, less raw material, of \$4. By some mysterious process England has acquired \$1 of our money, and the 50 cents has vanished to where it came from—nowhere.

But, replies the Free-Trader, such argumentation is absurd. You have disregarded the profit rightly due to the English capitalist. Of course, he must be paid for the use of his plant, etc. If America consumes his products she must remunerate him for such share of their cost as pertains to him in the shape of his legitimate profit. Allow for that, and you have a full explanation of all the facts you have stated. Precisely; that is just what we should have done; but we should not be blamed for it, at least by you. We have been led astray by the beauty and simplicity of your argument. You assured us, and we believed and still believe, that the benefit Free-Trade conferred upon the world resulted wholly from the increase it caused in the efficiency of the world's labor. You surely do not now mean to assert that the totality of the world's annual product is increased by the fact that England possesses more capital than America. If you do, we are afraid we cannot follow you.

As long as the capital is in existence to fulfill its functions, it can make no difference whether it does so in England or America, so far as their joint product is concerned. You also told us that this gain to the world was divided between England and America, in accordance with the Equation of International Demand, and that the extreme limit of the gain afforded to either nation by an unrestricted international exchange was the amount of the world's gain. We again tried to believe you, but could not quite do so, because we found that, as a matter of theory, America should gain, and, as a matter of fact, that England did gain, more than this. You now say that the distribution of wealth under Free-Trade is affected by the amount of capitalized wealth each nation possesses. Is not this acknowledging that there is a circumstance—viz., the distribution of capital—that has no effect upon the creation of wealth, but which has a very powerful effect upon its distribution? In accusing our argument of absurdity do you not abandon your own? If America can in any way, except by borrowing, acquire the necessary capital, and if she can find no way of utilizing such capital if she does not employ it in manufacturing, is she not justified in so employing it? Granted the necessary capital, will she not find a profit in so doing? You can hardly deny either of these propositions, or that capital cannot be so employed with profit to its owners when they are obliged to pay 50 per cent. more wages than their foreign competitors.¹

The question between Free-Trade and Protection resolves itself, then, into a question about capital. If the policy of Protection leads to the accumulation of the additional capital it demands, it is justified by the Free-Trade argument itself. We have at last reached the very heart of the question: What governs the amount of a nation's capitalized wealth? Nearly all economists make the same answer to this question.

They say that it is the strength of the desire to accumulate—the willingness to forego present for future enjoyment, frugality, thrift, abstinence. Now, if this reply is correct, our whole argument in favor of Protection falls to the ground. If America cannot in some way

¹ I must not be understood as asserting that Free-Traders entirely overlook capital as an element of the problem. It is too conspicuously so for them to do that. Their favorite expression is, "The efficiency of labor and capital." What I complain of is that they use this term as identical with the expression, "The efficiency of labor," and whenever the exigencies of the argument demand it they substitute either term for the other. If the "efficiency of capital" has any meaning, it can express nothing more than the power of capital to produce. It is not this power, but the relative amount of capital each possesses, that affects the distribution of products between nations that exchange commodities. But the distribution of capital, provided the total amount is the same, has no effect upon the creation of wealth.

obtain additional capital, she cannot employ all her labor under a protective policy. If such policy does not of itself lead to an increase of capital, she will gain nothing in diverting her labor from agriculture to manufactures, and will lose all the products which might have been produced by the laborers there is no longer the capital to employ.

Now there is no dogma that economists have labored so hard to sustain as this. They assert that "increase of capital affords additional employment to labor, and that without limit"; that "the supply of commodities is itself the demand for commodities," without making allowance for the fact that the most important commodity in existence, namely labor, is an exception to this dogma; that "demand for commodities is not a demand for labor"; that "there is no necessary limit to increase of capital," and many other propositions, all equally founded upon the idea that the accumulation of capital is only limited by the strength of the desire to accumulate. The writer believes that this idea is erroneous, and fundamentally so; that it is the root of nearly all the inconsistencies and imperfections of political economy. He contends that a true law of capital is all that is needed to give to economics the position of an established science. We cannot engage here in an attempt to discover and enunciate such a law. The author has made this attempt elsewhere.¹ But we can perhaps apply the process of verification to the assertion that the amount of a nation's capital depends upon the strength of the desire of its inhabitants to accumulate. Before doing so, however, we may be allowed the observation that, if this assertion is true, it is a most unfortunate circumstance for Economics. It necessarily destroys its scientific character. The strength of this desire is a moral consideration. It cannot be made quantitative. But we will let that pass, and examine patent social and economic facts for the verification of this assertion.

England is the nation that in modern times has been most successful in the accumulation of wealth. Is she commonly regarded as the most frugal? Is the strength of the desire to accumulate as intense among her inhabitants as among those of France, Switzerland, Sweden or Germany? To ask the question is to answer it. Her people are not abstemious. Compared with other European nations, they are conspicuously extravagant. But, it is replied, they are so now because they are very wealthy, and can afford a large expendi-

¹ In his work, "Capital and Population." D. Appleton & Co.

ture. But the English people never have been noted for frugality. Is it not possible that their great wealth is the result, not the cause, of their becoming a manufacturing people? The inventions of the steam engine, the spinning jenny and the power loom enabled her to be the first to divert a large proportion of her labor from agriculture to such industries as imperatively demanded for their establishment an increase of capital.

Let us look at our own industrial condition. By means of a protective tariff we have caused a diversion of our industry to manufacturing that would not, as in the case of England, have taken place naturally. Suppose that we repeal these laws, and return to our natural agricultural pursuits. What could we do with our present capital? Any one who claims that it could be profitably employed in agriculture is not worth arguing with. Neither could we lend but a very small portion of it to other nations. We could not continue to employ it in manufactures, because the money-cost of our labor is too great. We could do nothing with it except to consume it unproductively.

But, say our opponents—and this is the last objection we shall have to meet—if population is the limit of capital, capital in its turn limits population. Give it the necessary time, let the process be sufficiently gradual, and the diversion of our capital from manufactures to agriculture would find employment in the increase of population it would lead to. It would do this by raising the rate of wages. Capital competes for labor, and when there is more of it than can easily find investment wages are very high. This is true; but it is the gross amount, not the rate of wages, that stimulates population. An excess of capital decreases, not increases, the gross amount of wages. What follows when capital is in excess of the present requirements of the community? Why, profit declines. A low rate of profit and a high rate of wages are but different expressions of the same industrial fact. Is it when profits are low that the laborer is the best off? No, for a low rate of profit means a stagnation of industry and a cessation of employment. Because he is out of work will he seek a wife to console him in his idleness? Will he not rather avoid the increase of expenditure a family entails? Certainly he will. An excess of capital, therefore, will depress, not stimulate, population, because, while it raises the wages of those employed, it lessens to a greater degree the number of the laborers who are employed and the sum total received in wages by the class as a whole.

Before we protected our manufacturers we did not possess this capital. How did we get it? Has there been any increase in the desire to accumulate? We are preached at continually as being less frugal than our ancestors. Is it possible that this is a mistake, and that the immoral policy of Protection has led to our moral improvement? Is manufacturing a more virtuous employment than tilling the soil? No, reply the Free-Traders, we have accumulated it by robbing the laborer for the benefit of the capitalist, through the action of our iniquitous tariff. Let us see about this. Even if true, we certainly have the capital and enjoy annually the profits it affords; and, whatever those profits may be, they are a legitimate deduction, according to the strictest Free-Trade reasoning, from any losses we suffer from our protective policy. Now there is no doubt about it that our laborers do pay more for such protected commodities as they consume. But is this all? What regulates money wages? Why, the margin of cultivation. How does it do so? Because each country requires a certain quantity of food for its own consumption and for export. Farmers will not hire laborers to produce this food unless wages are such that they can cultivate at a profit the poorest lands they are obliged to till to obtain the given quantity of food. The more land, therefore, that has to be cultivated, the poorer the poorest quality of such lands will be. Diverting labor from agriculture will raise the quality of the poorest land in cultivation, and with it the wages of labor measured in food, and in money also, as it is the needs of the whole world that regulate the price of food. This increase of money wages undoubtedly more than makes up to the laborer any extra price he pays for protected commodities. He certainly is not robbed to any great extent. Some other source for our increased capital must be sought for.

Now it is evident that if there is no desire to accumulate no capital can be accumulated. But that is a very different thing from asserting that the amount of capital will depend upon the strength of the desire to possess it. What does regulate accumulation, then? Why, two circumstances: The ease with which the necessary self-denial can be undergone, and the use to which the accumulations can be put when made; or, to put it in other words, upon the income of the community and the avenues for profitable investment open to it what can be saved from it. The first circumstance will influence the rate, not the ultimate amount, of accumulation, supposing, of course, incomes to be sufficiently large to allow of some saving being made. The latter alone regulates the

ultimate amount of capital. If, then, we can find any circumstances which determine the amount of the avenues for investment, or, in other words, if we learn what regulates its profitable employment, we have ascertained the limits of capital and enunciated its law. It would seem that it would not take much ingenuity to notice that these limits for any specified nation are the number of its laborers and the nature of the occupations in which they are engaged. An agricultural people will quickly accumulate such an amount of capital as will employ its laborers as tillers of the soil, and a manufacturing nation such amount, several times as great, as will be needed to utilize its labor as artisans. The capitalized wealth of any community will depend upon the nature of its industries, and not the nature of its industries upon its wealth. It is, therefore, a matter of vast importance that it should engage in those occupations which require the greatest capital. But we have seen that, other things being equal, such branches of industry will naturally fall to the nations possessed of a sterile or limited soil, and where, consequently, wages are the lowest. Fertile nations can never hope to compete with them in the production of articles requiring a large capital for their manufacture. There is, therefore, a gain, as well as a loss, in protecting such articles, and whenever the gain is greater than the loss a fertile country should seek to obtain it by reserving her home market to herself.

But how can such gain and loss be ascertained and compared for each protected article? Free-Trade principles give a formula which, although we have ascertained it to be an erroneous one, is simple and easy of application. It denies that there is any gain, and asserts that the loss in each case is measured by the difference in price between the imported and the protected article. Any scientific line of argument on this subject should give as precise a formula as that offered by Free-Trade. It is especially a desirable thing at the present time that such a formula should be obtained. A Tariff Commission, appointed by Congress, is now in session for the special purpose of recommending what changes in the tariff are advisable. The advisability of a protective tariff is not wholly a question of profit and loss. Social, moral and political considerations should therefore, and they undoubtedly will, influence the report of the Commission. But the main question, after all, which should determine whether or no the production of any article should be stimulated by the tariff, is surely whether it pays to do so. If it can be shown that such action leads to an increase of the gross income of the community, the special manufacture under consider-

ation should receive the protection asked, and in cases where protection leads to a net loss it should not be granted. All that can be required of Economics *as a science* is that it should afford such a formula. The statistics to apply such a formula may or may not exist. It will be a fortunate thing, however, in the present state of our national affairs, if it be found that they do exist, as it will afford the Tariff Commission an opportunity such as seldom occurs for the practical application of economic principles.

What formula, then, does our argument yield by which it can be determined whether or no a profit results to the community from protecting any specified article? In other words, what two quantities must be compared to enable us to ascertain this fact so essential to our national prosperity? We can obtain such article in two ways. We can buy it of foreign nations, or we can divert a portion of our agricultural labor to its production. If we can compare the cost of these two methods, we can positively determine the gain or loss that will result from producing it ourselves, and adapt our legislation thereto.

Our formula, then, consists in the comparison of the money-cost of importing any specified commodity with the money-value of the agricultural products that the labor (not the labor and capital) necessary to the production of the article at home might have produced.

This, or, if the principles here advocated are erroneous, some similar, formula is all that can be demanded of the science of Economics. The application of the formula is a matter of statistics.

Do the statistics exist? Or, if they do not exist at present, are they ascertainable? As to the latter point there can be no question. They can be ascertained, not, to be sure, without labor and expense, but by a labor and expense wholly insignificant when compared with the importance of the knowledge to be obtained. But I contend that they already exist sufficiently extensive and exact to positively determine in all but doubtful cases whether there is a loss or gain to the nation in protecting any specified industry. Such statistics are contained in the Census Reports about to be published. They are not, perhaps, not being taken with this special object in view, in the exact form that is most susceptible of yielding the desired results. It would probably be impossible to obtain from them an accurate calculation of the amount gained or lost in the production of any article. They can, however, be made to yield a close approximation to this result, and that is sufficient as a basis of legislative action, except for those

cases where such an approximation showed only a small and doubtful balance either way. In the great majority of instances this would not be the case.

The writer would state that he has elsewhere shown, in accordance with this formula, and using the statistics afforded by the census reports, that the balance of gain to this community in protecting our cotton manufactures is about 20 per cent., and that foreign manufacturers should be able to undersell ours by an average of over 40 per cent. before any loss in this instance results from our national policy.

In closing this paper the writer would call attention to the fact that, when his argument is analyzed, it will be seen that what he has attempted to prove, and what economists have hitherto denied, is merely this—that capital, like other commodities, is subject to the law of supply and demand. The demand for capital is for so much of it as can be employed at such rate of profit, whatever that rate may be, as shall be satisfactory to its accumulators. Demand in all cases regulates the supply when the supply is not, as in the case of land, limited by nature itself. If this be true of capital, and how can it be otherwise than true, the capital possessed by a community will never vary much from the amount that can be profitably employed. That capital is subject to this universal economic law, simple and undeniable as it seems when stated, has not been nor is it yet recognized by economists. On the contrary, they have explicitly denied that the supply of capital is limited by anything but a moral consideration. They have asserted that over-accumulation is impossible, and that the supply, no matter what its amount, cannot, even temporarily, exceed the demand. We have endeavored to illustrate in this paper how the rectification of this error and the recognition of the law of capital revolutionizes one department of the science—that relating to international exchange. It does the same in every other into which the consideration of capital enters at all, and is capable of resolving most of the unsolved problems of the science.

FREDERICK B. HAWLEY.

THE PROGRESS OF CIVIL SERVICE REFORM.

THE movement on behalf of a reform in the civil service possesses a double interest—first, in relation to this particular question, and then as to the much broader one whether any comprehensive political reform can be accomplished under our government. Fortunately, under the men who first came into power after the adoption of the Constitution, the great departments of the service, such as the Post Office and the Treasury, were organized on sound and effective principles, which have continued in their main features to our own time; and, most fortunately again, the services of the United States are established on the only correct method of filling executive offices by appointment, with individual responsibility, instead of the boards, committees and commissions, which have worked such mischief in our States and cities. But in cases where the machinery has got into thoroughly bad order, as the Indian Department, the Tariff, the Civil Service, the District of Columbia, etc., is there a single instance in which the general Government, to say nothing of the local ones, has taken the matter in hand and effected a systematic reform on broad and permanent principles?

The abolition of slavery is the one example which will occur to everybody. The apparent exception is, however, one of the strongest proofs of the rule. Up to the outbreak of the civil war, nothing whatever had been done. The slave power was steadily encroaching in all directions. The Abolitionists of the North and the fire-eaters of the South attempted and accomplished nothing but mutual exasperation. At no time was there a chance of success for any statesmanlike plan of peaceful compromise, which was yet so important and so desirable for both sides. The chief officers, Davis and Floyd, were intriguing to place all the resources of the Government at the disposal of the South, and Floyd actually raised money for the purpose on his official acceptances, without authority from Congress. Then the explosion came. The war was no doubt, under the circumstances, a marvelous success, and when it ended slavery was gone; but these results really came from the virtual suspension of the theory of our Government. Those were four years of practical despotism. The "war power" of the President covered everything. Slavery was abolished by proclamation, and not by act of Congress. The legal-tender system was forced

by one strong will on a reluctant Congress—the same will which from the bench of the Supreme Court afterward declared that that system was unconstitutional, because it was not necessary. Individual liberty and private property were interfered with in ways which look very queer when examined by the “Bill of Rights.” That was an experiment of which the Union could not bear many repetitions. It was possible, moreover, only because the sharp sectional division admitted of hurling the brute force of one section against that of the other. It could not be applied on a line of division which permeates the whole framework of society, and hence the twofold interest of the civil service question to which we have alluded.

The gentlemen who go about the country delivering addresses with a view to arousing public opinion dwell with great eloquence upon the evils and dangers of the present system, and the advantages of a system resting upon appointment and promotion on the ground of merit alone, but they pass very lightly over the part of the subject which is by far the most important—by what means the transition is to be brought about. The civil service reform associations have poured out a multitude of publications with the same object of stimulating public opinion. Now we believe and shall endeavor to show that no amount of undirected public opinion will be of any avail in obtaining the result desired. Let us see what has been accomplished thus far. The only practical measure proposed is that known as the Pendleton bill, which seems to have been prepared by Mr. Dorman B. Eaton, the Chairman of the Civil Service Commission. Mr. Pendleton recently introduced it in the Senate, with a speech of pathetic force. Mr. Dawes followed, approved the principle, but had doubts about the measure. A Southern Senator heaped unmeasured scorn upon it, and another Senator moved to substitute an amendment to the Constitution making postmasters elective, and then the matter was informally laid on the table, thus ending, it is safe to say, all action of the Senate for this session. But the House may take it up! To suppose that the Pendleton bill, as such, will meet with any favor in the House in its present condition is to understand very little of the feeling between the two houses. Any bill to receive attention must bear a new name, and the two would then be merely fatal to each other. Then as to executive action: Hon. Carl Schurz, when Secretary of the Interior, refused to make appointments on the ground of favor, and Mr. Schurz is now editor of a newspaper in New York. Mr. James organized his office in New York on sound principles, and tried

to carry them to Washington. He is now in a private situation as president of a bank, being succeeded by Hon. Timothy O. Howe, of all men in the world. The fact is that any Cabinet officer who tries to introduce the reform will very soon find himself reformed out of the public service altogether. In the case of Mr. James, the change may be charged to the death of President Garfield; but a reform which is to that extent at the mercy of accident is of very little value. If the Democrats ever come into power, which, with a Republican civil service taking no part in politics, would be far from unlikely, how much would be left of a reformed system which the Republicans had established? The next generation would have to do the work over again. Permanence of reform is quite as much a consideration as permanence of office. "No matter," say the enthusiasts, "if we have not accomplished much. The main thing is to get a right state of public feeling." Perhaps so; but we have a strong impression that if you keep on making frantic appeals to the public to do something, without telling them what they are expected to do, you will encounter an apathy constantly more and more difficult to deal with.

The truth is, the abuse is bound up in every fiber with the present methods of carrying on our Government, and no remedy will be of any avail which does not take this connection fully into account; to explain which proposition it will be necessary to consider for a moment the principles upon which all government rests. The theory of the division of government into the executive, legislative and judicial functions, though it may not have the accuracy of the demonstrations of physical science, has established itself in the development of modern history as thoroughly as any of which the inexact science of politics admits. Of these three elements, however, the only one which is absolutely necessary is the executive. All the great achievements of history, from the building of the Pyramids to the Empire of Napoleon, resulted from the concentration of power in individual hands, working through an immense chain of subordinate and obedient agents. But the union of the three functions of government in the same hands subjected whole nations to the caprice which is inseparable from the human will. The masses had no voice in government, and were reduced to a dead level of misery. Modern history is that of a struggle to bring the executive power under the control of law without destroying its efficiency. Feudalism in the Middle Ages gave a share of government to a more numerous class, but merely furnished an illustration of the evils of dividing up executive power. The

anarchy and distraction were so intolerable that, from the last quarter of the fifteenth century to the first quarter of the seventeenth, over nearly all Europe the people combined with the sovereigns to break the power of the nobles and to substitute the despotism of one for the far worse tyranny of lawless and perpetually contending equals. The seventeenth and eighteenth centuries develop the efforts of the peoples to place some check upon the power of the monarch. The difficulties they encountered are precisely those which form the problem before the United States to-day. A people cannot by themselves govern. Notwithstanding the dogmas which are so popular, it is not a question of wisdom or virtue, of intelligence or education, though of course the presence of these elements is better than their absence. That which outweighs everything else is the absolute impossibility of agreement between thousands or millions of units upon the simplest details of policy or administration. The efficiency of executive power, which is the first necessity of government—that is, for keeping men from coming to blows among themselves—is gone. But the people do not wish to govern. They very much prefer to attend to their private affairs and to have their governing done for them. Hence the obvious expedient of choosing representatives to meet in a body and attend to the work which the people are incompetent to do for themselves. But if that body undertakes directly to administer the government it will fail, for the same reasons that the people do. The jealousies, the impossibility of agreement, the preponderance of individual over the public interest, are all fatal to the continuity and efficiency of administration. There must still be a single executive head, working through individual agents responsible only to himself, while he assumes their collective responsibility to the legislature and the nation. The function of a legislature has been well described as that of critics with the power of the purse. They should examine and discuss the plans of the executive, should approve or reject, or vote or refuse money for them. But if they undertake to prescribe those plans, and to interfere with or dictate the details, they exceed their proper functions, and the government falls into confusion. Now the executive and legislative branches are always trying to encroach upon and to absorb the powers of each other. If the executive wins in the struggle, government, as has been said, is possible, though it may be bad. If the legislature wins, government becomes in the long run impossible. Sooner or later an abuse of legislative power must give way to the abuse by violence of the executive power.

The first illustration of this principle was given by the Long Parliament, in England, in the seventeenth century. After ten years of helplessness and anarchy it was turned out, not as an accident, but as a necessity, by an armed force under Cromwell, who established his absolute power. After his death the Stuarts tried to continue personal government, and this led to the English Revolution. For nearly two centuries the English have been working out a system of parliamentary government, which has formed the basis of all the constitutional experiments of modern Europe.¹ The key-note of this system is the intrusting executive power to a body of ministers, of whom the Prime Minister is the head, and who wield almost despotic power while they command the confidence of Parliament and the country, and retire when they lose it. In a general way it may be said that Parliament never makes any laws at all. It approves or rejects those submitted to it by the ministry, and no important law is ever passed unless it is first adopted by the ministry, who have the responsibility of government. If the ministry insist upon a law which Parliament will not pass, or if they refuse to embody in a law some principle which Parliament and the country have at heart, they must resign. But Parliament never thinks of taking the matter into its own hands. The method is to have a new ministry appointed, who will undertake to prepare such laws as are needed. It is understood that the laws are to meet the needs of executive power, the function of Parliament ("critics with the power of the purse") being to see that such laws are consistent with the welfare of the country. In this way, and this only, have all the great English reforms of this century, including that of the civil service, been accomplished. The one serious objection which we have to make against Mr. Dorman B. Eaton's elaborate history of the English Civil Service is that he never once recognizes this great principle, but assumes that such a reform can be carried through our Congress because it was carried through Parliament, whereas, as we shall endeavor to show, the cases are fundamentally different.

The next illustration in Europe of the impotence of legislative rule was given by the French Revolution. No event in history deserves more careful study by the people of the United States. In less than ten years France passed through all the phases which a century has

¹ To borrow a sentence from the historian Green: "Step by step Parliament drew nearer to a solution of the political problem which had so long foiled its efforts—the problem how to make its will the law of administrative action without itself undertaking the task of administration."

been developing in the United States. The failure of the Revolution was less owing to the perversity of the nation than to the absolute inability of the Constituent Assembly, the Convention, or the Legislative Assembly, to govern. Decentralization was the policy from the first, and all the administrative offices, and even the military and the judicial, were to be filled by election. To do this properly, as M. Taine says, required from one to two days in the week of every man's time. The people would not give this, and so the elections fell into the hands of the Jacobins, who were the precise counterpart of our caucus politicians. What brought on the crisis so rapidly was that the desperate social condition of France made strong executive government a necessity, whereas the very different condition of the United States has enabled them to get on very well without it. The Jacobins brought on the Reign of Terror, and the Reign of Terror brought on Napoleon. It is a very superficial view which ascribes the later history of France merely to the instability of the national character. It has been one long struggle to make the executive and legislative branches work together. No way was found of controlling the executive without overthrowing it altogether, and when it was overthrown the helplessness of the legislature soon compelled its restoration. Under the Third Republic the French are laboriously striving after the principle of a ministry responsible to the wishes of the country; and it is very curious that, as they establish the supremacy of party majority, one of the first difficulties which comes to the front is just this of the abuse of executive appointments in favor of that majority. At all events, however, they have in this ministerial responsibility the instrument of reform, if ever the country and the circumstances demand it.

We will turn now to the United States. The first Congress, not in virtue of any requirement of the Constitution, but of the spirit which promptly led one branch to encroach upon the functions of the other, established the entire exclusion of the executive officers from any share in debate or any public influence upon legislation. From that time the executive has been steadily declining in power till it has withered, as far as any legitimate influence goes, to a mere shadow. The written messages and reports sent to Congress are almost absurdly impotent, being referred to the standing committees, like the motions of any indifferent member; while, if the executive officers require any legislation, they have to "lobby" for it, like the representative of any private interest. One means of influence they have—the use of the

offices. When people talk of reform to come from the executive department, they forget that this would deprive it of its only means of existence. Of course, the President and his Cabinet can expect no support from the party opposed to them; but let them try to interfere with the "courtesy of the Senate," or the "rights" of members of the House, they will soon find themselves encountered, if not with open attack from their own party, at least with the passive and sullen hostility which is much harder to overcome.

Congress, having thus usurped the greater part of the executive power, has fallen into the condition which history would lead us to expect—an absolute inability to govern. The country drifts on under the traditions of an earlier period; but of any comprehensive or continuous policy of improvement or reform there is no question whatever. A brief analysis of the mode of doing business will explain this. In place of a connected scheme of legislation prepared by the Executive during the summer and submitted when Congress meets for discussion, approval or amendment, nothing whatever is done until Congress does meet. Then a deluge of bills, resolutions, etc., amounting to thousands, is poured upon each house, and the only possible action is to refer the whole, including Executive messages and reports, to the standing committees. All winter long the houses sit with no occupation except quarreling and office-hunting, while these committees are trying to work out some conclusions; their deliberations, it must be observed, being conducted in secret, and upon motives and considerations of which the public never have any knowledge. In the last few weeks the reports begin to come in. There is a confused rush, and of the resulting legislation only one thing can be predicted—that those schemes have the best chance of success which have the most powerful support from the lobby. Then there is a complete blank in the Government for six or eight months, except as to what may be called clerical details, and then with a new session of Congress the work begins *de novo*, with very little reference to or connection with anything which has gone before. Now the one feature about all this work which is of importance for our present purpose is this—that it completely eliminates all individuality of statemanship. So far, to say the least, as the information of the public goes, the work might just as well be done by day laborers as by an equal number of Daniel Websters. President Andrew D. White, in an article in the "North American Review," says: "The inevitable tendency of the present order of things is away from the idea that a candidate is to win by

high character, by thorough preparation, and by public services. The question tends to become, 'What combination can he make with office-seekers and office-holders?—has he baits enough to secure the caucus?—has he patronage enough to control the convention?'" Precisely! and it is *because* high character and thorough preparation find no field of action, *because* there is no such thing as *public* services, that the other alternative has become a necessity. For it is evident that candidates must influence the electors in some way, and, if they cannot produce any record or expectation of distinguished service at Washington, the work must be taken hold of at the other end, and the support of active agents purchased by the promise or the hope of office. We believe that, if the offices were wholly withdrawn from politics by civil service reform, the gap would be at once filled up with the use of money. In Massachusetts, indeed, where office-trading is just now at a discount, there are certain districts, not a thousand miles from the State-house, where the elections were carried not long since by a free expenditure of money. The reformers would probably say that even this would be a change for the better. Possibly, though the question is by no means beyond argument; but so much at least may be said, that as the public offices are a much cheaper expedient, especially when contingent upon the future, than the expenditure of his own money by the candidate, the change is not likely to command the active support of members of Congress. If any one doubts the truth of what has been said, let him study the case in which a district, worked perhaps by enthusiastic young men, has triumphantly returned a man of high character, learning and ability. The election of Professor Seeley, of Amherst, is a notable case in point, and was hailed with applause throughout New England. Such a man finds himself as much out of place in Washington as the average citizen at a primary caucus. He has no taste for and no skill in the intrigues of the committee-room and the lobby, which is the only way of conducting the Government business. He may make eloquent speeches for the benefit of his constituents, but any one who on a Saturday in Washington has seen a member declaiming vigorously in the vast hall of the House, in presence of half a dozen fellow members, either lolling listlessly in their seats or engaged in conference with each other, while the gallery is occupied by a thin sprinkling of citizens of African descent, has felt that the orator must have the hide of a rhinoceros if he is not penetrated with a sense of shame and ridicule. And so our virtuous legislator goes back to his constituents disgusted and discouraged,

while they conclude that he has not as much force as they supposed, and soon fall back into the old routine nominations. Mr. White is bold enough to assert that office patronage is a source of weakness, and not of strength, to its dispenser, and adduces some illustrations, which, in any Senator or Representative who reads them, must excite something more than a smile. If the position is correct, however, we should like to ask why it was that Congress, without a word of debate or explanation, refused an appropriation for carrying out the work of the commission appointed by President Grant, and of which Mr. Curtis and Mr. Eaton were successively the chairmen? why it was that, after all the public agitation of the subject, when Senator Pendleton introduced his bill into the Senate with a speech, not a solitary voice was raised on behalf of it except his own, while it is not uncharitable to believe that Mr. Pendleton himself knew that his eloquent address was, for any practical purpose, merely so much "bunkum?" why it is that, in spite of the powerful "associations" which are at work, the subject has not even been mentioned in the House?

We believe that we have listened to as many addresses and read as much of the literature of the subject as any average citizen. In every case we find much eloquence as to the evil of the present system and as to the excellence of that proposed by the Pendleton bill, but, except in very general appeals to public sentiment, the vital question how the bill is to be carried and put in operation is passed over in silence.

This is perhaps best illustrated by a pamphlet by Mr. W. E. Foster, in which he discusses eight propositions, as follows:

The reform is not undemocratic.

It is not unconstitutional.

It is not impracticable (for operation).

It is not unbusinesslike.

It is not indefinite.

It is not unnecessary.

It is not destructive.

It is not opposed to public sentiment.

We suggest to him two others which, if he can demolish, he will have proved far more than by all those he has so ably argued.

I. The use of the offices is the only available means by which, as business is now done, the bulk of Congressmen are or can be elected.

II. Congress does not show the slightest sign of responding to public opinion, and will never do so as long as the present order of things is maintained.

We have submitted our reasons in behalf of the former proposition, and now turn for a moment to the second. The reformers are very impatient of any criticism of the Pendleton bill. Not unnaturally, exasperated with the delay of many years caused by the professed adhesion of politicians to the general principle neutralized by objections to particular measures, these reformers have a desperate stand upon one particular measure, and make that their text of loyalty. That measure is, however, by no means beyond criticism. It places the appointing power in the hands of a commission of five, to be appointed by the President, of whom "not more than three" shall belong to one party. True, it prescribes rules by which they shall be bound, but who is to guarantee their conforming to those rules? It is one of the best and soundest traditions of the United States' service that all executive work is done by individuals with personal responsibility. On the other hand, the history of our States and cities swarms with commissions erected for doing a particular work. They usually begin with upright and able men, but soon fall into the hands of politicians and become the very hot-beds of corruption, because their number prevents decided and efficient action, and the division of responsibility furnishes a very perfect cloak for intrigue. Again, it is one of the evil consequences of depriving the Executive of all legitimate power that he is, therefore, freed from all responsibility. Powerless for any good end, he has very extensive resources for bad ones. Forced by Congress to the abuse of appointments to office, why should he not be equally forced by Congress to the abuse of appointments on the commission, with resultant shams in the examinations. These objections may appear hypercritical and inconclusive; but they are abundantly sufficient to form a basis for the hostility which will develop itself if the bill, as is very unlikely, ever comes to serious debate. There are no two men in the country from whom the reformers are entitled to expect more than from the Massachusetts Senators. They know the extent of public feeling, and every consideration of interest and honor should impel them to take the lead of it. Mr. Dawes, in his letters to the *Springfield Republican*, while admitting the full extent of the evil, distinctly expresses his distrust of the Pendleton bill, and his speech in the Senate may well be called "damning with faint praise." One of two things must be admitted. Either Mr. Dawes expresses an impartial and intelligent judgment, which his long experience in both houses entitles to more weight than that of a host of amateurs, or he is the embodiment of the corporate spirit of Congress, and, if such is

Mr. Dawes, what must be the other seventy-odd Senators and three hundred more or less of Representatives? Mr. Hoar has evaded any definite position on the Pendleton bill. Certainly he raised no voice in the Senate on its behalf, but in a recent magazine article he gave an analysis of the power and ambition of the Senate, which was a heavier blow to the hopefulness of reform than anything which Mr. Dawes has said. Observe, further, that Mr. Schurz, with all his ardor in the cause, by no means takes a firm stand on the Pendleton bill. "That a something similar," is the hesitating phrase which embodies the conviction, forced upon him by long experience, of the enormous difficulty of carrying the measure past both houses.

Is all effort, then, toward civil service reform to be abandoned as hopeless? Certainly not. The present abuse is as dangerous to the existence of the Republic and as certain to destroy it, if unchecked, as was slavery itself, and it includes the still larger question, whether any comprehensive reform of administration is possible? What we object to is the exhaustion of the public patience and enthusiasm in an aimless agitation for a mere surface treatment of constitutional disease. Nearly all the writings upon the subject point to the fact of an encroachment by Congress on the powers of the Executive, but they hesitate to recognize, probably because they do not see how it is to be met, that the "irrepressible conflict" of the future is to lie between Congress and the nation. The way to meet it is so to strengthen the Executive that it may be able to defend its proper share of constitutional power, bearing carefully in mind that security against the Executive consists in that which now does not exist at all—the strict and public enforcement of responsibility. We have shown that civil service reform in England, like all others, was forced by the ministry, backed by the country, upon a reluctant Parliament. But a responsible ministry, say our politicians, is an English institution which we do not and cannot have. If that is so, the precedent of the English civil service is of very little use to us; but it is begging the question. Last Winter Mr. Pendleton introduced in the Senate a bill for giving the Cabinet officers seats without votes in both houses, with the right to take part in debate and the duty of answering inquiries. This bill was supported unanimously by the committee of eight Senators taken from both sides of the House. Yet, though there was some outside talk about it, it received not the slightest notice from the Senate, the reason being that that body perceived at once how fatal it would be to their usurped prerogatives, far more so in fact than any civil service bill, because it

goes straight to the heart of the matter, while the other is merely a tub thrown to the whale. Yet, for this very reason, *this* is the true issue to be carried to the country; while, if it would take somewhat longer to make the principle intelligible, it is the only thing which will have any real and practical effect. It would sound the death-knell, for one thing, of the lobby, that most noxious of all our institutions.

To set forth the silent, but inevitable, change which such a measure would produce in the whole working of the Government, would obviously be beyond the limits of this article; but we may touch upon one or two points connected with the subject in hand. Appointments to office are made by the heads of departments, or by the President through them. If the secretaries stood on the floor of Congress, face to face with individual members of the opposition party, who should ask them before the whole country why they had made such and such removals and appointments, it would soon cost more to yield to than to resist outside pressure. A refusal to answer would be, if possible, more than telling the whole truth. A secretary would say to a persistent applicant: "I shall have to meet Mr. So and So's question to-morrow and tell the whole story. I cannot and will not do it." The President would be held to responsibility in like manner through his officers. The opposition, in following up sharply the party in power, would be preparing a rod which, when their turn came, would be applied to themselves with ten fold vigor. In the next place, since the above was written, Mr. Dawes has introduced a new bill providing for examining boards in the departments, in place of a commission. This may be better or worse, but it complicates the matter. The enemies of all reform may say that they prefer the Dawes to the Pendleton bill, while to begin agitation again on the Dawes bill would be to lose all that has been done for the Pendleton. The fact is, one bill should be brought forward by the Executive Government, and no other be admitted till that was accepted or rejected, while the debate upon it, joined with the national influence of the Executive, would arouse public sentiment more than a century of outside agitation.

Lastly, if the leading items of public business were prepared by the executive officers during the intervals of sessions, and placed before Congress as soon as it assembled, so as to form during the winter a subject of discussion in which the Cabinet officers may take a part, members would stand before their constituents in a wholly new light. They would become statesmen, instead of politicians. They could appeal to the record of what they had done in support of or opposi-

tion to the Government, or in furtherance of wise legislation, in place of promises of office or the expenditure of money, and thus the necessity be obviated which is the very basis of the spoils system.

It may be said that what is here urged is too indirect and theoretical, and that it is much more practical to strive for the removal of a definite abuse; to which it may be answered that, though the process may be longer, the result aimed at is definite and practical, while the other is an *ignis fatuus*, which, being often so near that the hand may grasp it, only leads the traveler onward into interminable bogs and swamps.

GAMALIEL BRADFORD.

THE CHEMICAL INDUSTRY OF THE UNITED STATES.

THE diversified industries of the United States at present may be properly classified into the following leading divisions: Agriculture, iron and steel, metals, textile, leather, paper, sugar, transportation, mining, silk, glass, pottery, salt, lumber, and the chemical industry.

Among these the chemical art stands preëminently first in view of and with regard to the utility and necessity of its existence.

These industries may be rightfully compared to a "trussed" structure, which, skillfully combined, always shows the great pressure as evenly divided and as finally resting on a solid foundation. Its parts are not removable at pleasure, and are not dispensable at one point without weakening the entire frame-work. The earth receives the final weight and pressure, and so in the diversified industries of this country all find support.

Agriculture may be defined as the column of the superstructure deriving her maintenance immediately from the earth, with the other industries resting in multitudinous forms and shapes on this. The under supports of such a structure are firmly held together by the braces and combining bars and rods above, and the roof which covers the whole exists as the exemplification of "protection."

Chemistry as a science embraces the whole of animate and inanimate matter. By its means man learns the special properties of all bodies, and the laws which govern their combinations. By the appli-

cation of these principles he can reduce all substances into their elementary constituents, and out of old material construct new bodies.

Both directly and indirectly chemistry has a part in the great pursuits of civilization. It therefore covers a very broad field, and takes within its scope all the other industries with the exception of those of the very lowest order.

The iron manufacture is really a chemical art, and textile manufactures may be classed as the same when beyond the mere spinning and weaving of the goods. These industries are not now carried on by the old rule-of-thumb methods, but, by the aid of the science of chemistry, their work is more exact, and consequently more satisfactory. The mechanical operations of the processes are entirely supplemental to the will of the chemist.

Dr. Thomas E. Jenkins, in his "Report of the Chemical Processes" (Reports of the United States Commissioners, Paris Universal Exposition, 1878, Vol. IV.), remarks: "Speaking of the materials which are to be comprehended in the scope of this report, it is to be remarked that the greatest improvement in the quality of the products, together with the greatest fall in prices, is noticed in the case of the newly-discovered tinctorial substances and matters derived from what are termed waste product of chemical manufactures.

"All this seems to show that technical chemistry is much better understood and more successfully practiced to-day than formerly, and *foreshadows the rapid progress to be made in the near future in the industrial arts through the guidance of this marvellous science.*

"Chemistry is no longer the occult magic of the Middle Ages; it is the most luminous of the true sciences, and is destined ere long to be the means of elucidating much, if not all, the obscure phenomena of nature. The veil which till lately was carefully thrown around all chemical processes and all manufactures involving chemical laws and reactions is rapidly being drawn aside and disclosing the secrets of the few for the benefit of the many.

* * * * *

"In transmitting this report the writer feels that he has been treating a subject of vast extent and importance in itself, and one destined to exercise an influence in the material destinies of our nation, of which it is now impossible to form an adequate idea; a subject which deserves and should receive much more attention than has hitherto been bestowed upon it."

The advantage to society of the investigations and consequent estab-

lishment of factories by manufacturing chemists can possibly be computed and stated by regarding the production of great numbers of the most necessitous materials by new processes and out of waste matter. This is most clearly shown, as Dr. Jenkins remarks, in the production of colors, as their cheapness and wonderful brilliancy, made by artificial means, so to speak, have enabled people at large to adorn their persons and residences with colors and fancies that were formerly confined to the wealthy only. This fact alone should place the chemical art at its greatest height, for in no other direction does the mind receive more pleasure and diversion than in the contemplation of the colors originally from nature, but now so truthfully imitated by man.

To give an idea of the magnitude of the chemical industry, it is stated in the tenth census that the

Number of establishments in the United States is.....	1,349
Capital invested, including buildings and machinery.....	\$85,486,856
Average number of males 16 years and above.....	26,751
Average number of males below 16 years.....	1,207
Average number of females 15 years and above.....	1,493
Average number of females below 15 years.....	49
Total.....	29,500
Total amount of wages paid.....	\$11,820,728
Anthracite coal, tons.....	273,161
Anthracite coal, value.....	\$968,432
Bituminous coal, tons.....	326,398
Bituminous coal, value.....	\$924,791
All other materials, value.....	\$75,451,058
Total value of all materials.....	\$77,344,281
Total value of all products.....	\$117,407,054

Dividing the industry into the following leading geographical centers, we find:

Centers.	No. estab- lishments.	Capital.	Value of product.
Philadelphia	109	\$17,634,773	\$20,131,314
Pittsburgh.....	35	2,887,704	1,990,325
Providence.....	62	2,146,586	3,483,500
Richmond.....	10	372,000	555,875
St. Louis.....	35	3,392,200	5,753,694
San Francisco.....	33	2,297,550	3,001,607
District of Columbia.....	12	205,967	322,439
Baltimore.....	43	3,303,252	6,773,434
Boston.....	106	4,438,248	7,696,465
Buffalo.....	16	2,907,200	5,024,650
Charleston.....	23	3,009,000	2,128,067
Chicago.....	29	2,651,800	5,861,001
Cincinnati.....	32	4,393,203	5,476,633
Cleveland.....	22	1,290,200	1,432,861
Louisville.....	12	699,440	710,955
New Orleans.....	7	218,701	329,659
New York.....	160	20,078,850	29,000,794

The parts of most chemical works are readily destroyed, and the use of large amounts of iron, lead and other materials renders this expense one of the most important elements in calculating the cost of manufactured articles.

To illustrate this, the relative cost of lead may be mentioned, which is here two-fifths more than in England; hence an American works, constructed largely of lead, will involve more capital, and, by comparing the cost of repairs, we will find that the American works pay 3.6 per cent. on the value of the output in excess of the English.

The question of labor enters largely into this manufacture, and, as that is probably the most important element in asking for the full measure of protection for any industry, it is found that on the value of the outturn of \$118,000,000, the manufacturers of chemical productions here pay 6.4 per cent. more than the English manufacturers pay for their labor; to this difference of 10 per cent. in cost of \$118,000,000 worth of goods we point as the most conspicuous from which to draw a conclusion relative to the protection of American industry; this is not 10 per cent. of the capital, nor labor, nor profit, nor of the cost of materials or coal, but it is 10 per cent. on these items combined.

A casual glance at this problem will not suffice, as the figure 10 is comparatively a small one; but when analyzed in this manner it swells into great proportions. It is true that in the chemical industry the labor does not amount to as much on the value as in some others—the iron manufacture, for example.

It may be stated by some revenue reformer that, in this view of the labor question, our chemical industries at large would be entitled to protective duties of about 10 per cent.; but it must be borne in mind that this comparison is made with England—Germany, Sweden, Belgium and Italy, where labor is of less cost, are not made factors in this calculation. Viewed from the protectionist standpoint, this is a compensatory duty that we require, if we are entitled to protection against the occasional floods of foreign manufactures, and if this is measured by the importance that exists of promoting special branches of manufacture to make the United States independent of all the world, we also ask for protective duties to the fullest extent given to other industries.

In discussing manufactures it may be considered an axiom that the producer is always regarded as one who gives the most satisfactory goods, and who manufactures them at the lowest possible price.

The requisites for producing cheaply in the United States are important matters for consideration. The country is the largest single market for manufactured goods in the world; hence it is only when we have reached a surplus of such articles as are in demand or salable in foreign countries (except in some few specialties) that we can think of becoming exporters, and in some chemical productions we have reached that position, and export to England and to the continent of Europe quantities of stuffs that were formerly imported largely into the United States.

The fallacy of seeking foreign trade except in these productions, or in such work as our skill outrivals that of foreign nations, is apparent. We would not require protective duties if this were not the case; but it is shown to be an outcome of our protective system that when an article becomes self-sustaining, and the production meeting all the normal wants of the country, it can compete with any nation in the world. This condition is very sure to become general in time, and it is only when it does come that we can even think of receding from a policy that may be termed "high protection."

It has been suggested that when articles have reached this point they should no longer be scheduled with rates that could in any degree be termed protective. But by the experience we have in righting the wrongs of legislation, as in knitted goods, or where a misplaced comma or the addition of a letter has slightly changed the texts of the law, but neither the *meaning* nor the *sense* of it, and in other instances where manufacturers have been ruined by a precipitate reduction of duty (as in the case of aniline dyes, by the act of 1870), show us it would be unwise to omit placing corresponding protective rates of duty on articles that are now exported or produced in excess of the home demand, as in the event of a turning tide they would be placed as were the knitted goods, and as are the cotton ties, tin plates, and steel rods, etc.—that is to say, at a disadvantage with other articles of manufacture.

New and special articles have from time to time grown into importance in the chemical art, as this industry is constantly on the outlook for new and more desirable preparations for use in medicine or the arts. The consequence is that articles that may be in demand to-day will not be wanted at all in the coming year, and new and expensive plant may be required for the production of the more recent, throwing out of use the older.

It cannot be denied that it is desirable to foster the love of original

research, and the works founded on it as well; hence such a rate of duty should be accorded to all such manufactures as will result in making them independent.

A popular idea exists that crude drugs are now dutiable.

From time to time these have been added to the free list, and it is an exceedingly difficult matter to find a crude article that can be placed on the free list with propriety. It is understood that the so-called crude articles of vegetable or mineral production of the United States should not be free of duty, as they occupy the first position in the transition from the earth to the hand of man, involving both labor and some skill to produce them in a condition suitable for the market.

In formulating a tariff schedule for the drug and chemical industries at large it is desirable to trace the origin of the article from the lowest stage or form up to the highest point that has yet been reached in the art.

By adopting this method or system the compiler could easily distinguish the rate of duty that would be just and proper to levy, and the uninformed with regard to such preparations could by referring to a tariff schedule ascertain whether the article was comparatively a crude one, or whether it was a highly wrought product of manufacture. Such explanatory material as this seems to be desirable to have, as comparatively few persons, even among the well informed, have any accurate knowledge of this science or art.

Strange to say, the chemical industry in the past has been an object of attack and derision for statesmen, journalists and uninformed critics; this could not have proceeded from the free-trade party in its honest purpose, neither could it have come from a lack of knowledge, nor from any unsympathetic faculty of the human mind.

The manufacturing chemists have felt in the past that they were on the defensive, not only as against foreign power and influence, but also against some of their own people; consequently they have regarded with a great deal of satisfaction the appointment of the Tariff Commission by the President of the United States, and they regard it with still greater pleasure after having obtained the opportunity to state their views, in many individual cases with precision, and with ample time given them to elucidate their arguments.

It is apparent to the witness who appears before the Commission how greatly superior to the methods of the Ways and Means Committee of the House of Representatives is the manner in which views may be stated, without the captious criticism and attorney-like inqui-

ries of certain members of that committee. The matter compiled from the testimony before the Tariff Commission cannot be otherwise than a guide and most invaluable addition to the descriptive literature of the country.

It may perhaps be interesting to give some individual views touching a condition of affairs in which an important branch of industry is placed in a suppliant attitude for protection.

In the past it has not had a sheltering wing to fly to; hence articles in the tariff schedule have been frequently rated too low, or the duties have been reduced, or the article made free. Perhaps in the future an organization representing 1,349 or more establishments may confront the selfish protectionists, as well as the two divisions of the free-traders, assuming one division to be the honest advocates of free-trade, the other to consist of the paid emissaries of foreign manufacturers or dealers, together with all who reap their harvests from or in foreign lands.

M. Daru, in his "History of Venice," says truthfully: "Commerce, that profession by which one continually tempts fortune, is not a school of moderation. Maritime commerce demands ports where its vessels are received, authority where it buys, and privileges where it sells, security of navigation, and especially no rivals. This spirit of ambition is at heart the same as that of conquest. Venice will furnish an example of it."

After the lapse of four centuries we make an analogy. Great Britain fills the place of Venice to-day, and the United States, although having settled to a policy embracing the theory and practice of protection, is made the objective point for so-called "peaceful rivalry" in its trade. The historian does not title such commerce a peaceful tournament, but compares it to a mode of warfare, and such doubtless it is.

To break down our protective barriers England, by her power and influence, and through a host of diminutive satellites in this country, and especially at times of important national contests, uses all her might. Not content with controlling the labor of her natural offspring, she has control of that of Belgium, Germany, Switzerland, and Norway and Sweden. It is a well-known fact that large factories are conducted in these countries (especially of textiles) that are under the control of English manufacturers. This course was also followed in the chemical manufacture, as witness the removal of the aniline dye manufacture from England to Germany and Switzerland, whereas it

is known that large capitalists in England control these manufactures. Thus England, instead of fostering and caring for the interests of her own working people, so soon as she feels pressed by competition to furnish goods at lower prices, strides across the channel and avails herself of the economical labor of the countries mentioned. This is in accordance with her military policy, where she uses the Sepoy as a menace to Russia or any other antagonist. The thought arises here whether she will not in the future avail herself of cheap Indian or Chinese labor in the same manner that she has utilized that of the Continent.

The policy adopted by the United States has become, it may be said, our fundamental law, and it is doubtful whether the thoughtful of either great party do not recognize this fact. It is, therefore, to be regretted that at each succeeding national election this should be made the dividing line, and that new or other issues should not be held as the rallying point for the respective parties.

A change in policy, or even a partial change, would throw us immediately into the jaws of the dragon, and shortly thereafter independence in our industries and in our actions would no longer be the privilege of citizens of the United States.

HENRY BOWER.

AMERICAN SHIPPING AND SHIPBUILDING.

THERE is something peculiar in the way in which ships affect the reputation and prosperity of a nation. To begin with, the building of vessels and the management of them are dignified and splendid forms of business to carry on in a country; and if they are good and profitable for the individual citizen, as they are, they are still more so for the nation at large. Fine ships are nowadays the representatives abroad of the ingenuity, enterprise and masterly spirit of the people at home. They are splendid things to see. They win respect and good-will everywhere. They do more than carry goods. They publish a country abroad, make friends for it, and create trade and travel. The nation that has the most of them can and does have in these days the largest and most profitable commerce with foreign lands. The earnings of ships, too, tend to promote the accumulation of wealth at home in a way peculiarly and distinctly their own. The census reports have taught us that there is a difference in

the value of the various forms of business to a country. In some branches of industry, as in lumbering, materials are handled in large bulk with a small expenditure of labor. In others, as in the making of fine glassware and in locomotive building, the value of the materials consumed is small, but the expenditure of high-priced labor is very large. That industry is always regarded as the most valuable which consumes the minimum of materials and requires the maximum of well-skilled labor. As in home industry, so in this other field. The statistical reports of the Government teach that there is a great difference in the value of different branches of our dealings with foreign nations. America sells about \$280,000,000 worth of bread-stuffs and about \$250,000,000 of cotton and tobacco to the world at large annually. This vast sale is in part the means of supplying America with the products of other lands, and with an abundance of money besides. But, in sending these goods abroad, our people are actually exporting more than 10,500,000 tons of the richest constituents of their fertile soils. They are parting with what they must regain and put back through the purchase of expensive fertilizers, depreciating the value of their lands, and aiding to make food costly to all the American people. The trade in lumber and woodenware brings in an income of \$12,000,000 and more yearly; but at what a sacrifice. Tens of thousands of acres of good timber land stripped of their trees for the benefit of foreign nations, robbing the country of one of her important resources, and raising the price of lumber in America for all time to come. The sale of oils, rosin, turpentine, cattle and provisions brings vast sums of money yearly, and is the source of many great blessings, diminishing continually the amount of capital that must be borrowed abroad, and bringing about other equally useful results. But in nearly every case some serious disadvantage comes along with the good—at least for the generations who are to occupy this country after us. The most valuable branch of foreign trade must be, therefore, the one in which the country parts with a minimum of good American materials and a maximum of skilled American labor. It is this that gives the building and sailing of ships such peculiar value. The ship is almost wholly the product of labor, and the operating of it is the nearest approach to a sale of labor, pure and simple, that we can find. The quantity of materials consumed in building and operation is small, and, in so far as the materials consist of coal, iron and copper, they are drawn from resources of which America has a boundless supply. The country is in no way crippled

by the building and repair of ships; and there is no other form of business which brings in such a continual importation of good money to a country, with so microscopic a loss of materials, as the sailing of ships in the carrying trade after they are built. It is historic how rapidly capital accumulates in a country which has the rosy good fortune to own and employ a large merchant marine.

It is not important to a country who pays the earnings of the ships. If the sums earned in the ocean transportation of the world every year could be known, a calculation could probably be made showing what part of the total was paid by the consumers of different continents respectively. But the calculation would be of no great consequence, after all. If America was herself paying the \$120,000,000 of freight money earned in her foreign trade every year, and the probably \$60,000,000 of passenger money, the share carried by her own ships would be so much saved to the national wealth. If she were not paying a dollar of it, the share carried by her flag would be so much gained. It would be all the same in the end. The dollar saved and the dollar earned are commonly believed to have the same value.

It is extraordinary how fast ships make their owners rich in good times. The great steamers on the Atlantic Ocean are themselves a good proof of the money-making power of ships. They have all been built with the profits of the smaller vessels that preceded them. The expenses of the present steamers on each round trip are from \$20,000 to \$35,000. They often earn from \$60,000 to \$75,000 on a single trip. Sailing ships have always been good property. They frequently pay for themselves in two years, and their net earnings during the remaining ten or fifteen years of their usefulness are then, of course, pure profit to their owners. In active times they have been known to earn a fortune in a single year. The *Sovereign of the Seas*, a clipper, built by Donald McKay in 1852, earned \$200,000 in eleven months. The clippers in the California trade before the war all made their owners rich. Even at the present day good-sized ships in the wheat trade from California to Liverpool pay well, as they can secure from \$40,000 to \$50,000 for the outward freights alone at every trip. The single-deck ship *Olympus*, built on Puget Sound for \$80,000, earned \$45,000 in the lumber trade before she was a year old. A great many instances can be cited of the money-making power of ships. In dull times they lose money, as do all investments; but under the right conditions of trade a good ship, properly designed, well built, in proper hands, and not too greatly handicapped with taxa-

tion, will always prove to be good investment for all who have any interest in her. A large part of the capital put into American railroads during the last twenty years was earned by ships.

The number of trades that thrive by the building of vessels is about forty—perhaps a dozen more by the sailing and handling of them. Imagine the many and interesting processes through which from \$7,000 to \$12,000 worth of crude materials must go before they have been transformed into a \$90,000 sailing vessel and a \$400,000 steamer respectively. The builders can find in the fields and mines all that they need for the construction of their ships and outfits for those small sums of money. That which changes their original value is the labor put upon them. And this labor is mostly performed by artisans of the highest grade, who receive the very best of current prices for their services. Shipyard men are among the most sober, steady, upright, intelligent citizens we have. They are a peculiar and valuable race of men. The possession of a large body of them is a resource such as a country like America, which may at any time want a navy, cannot afford to be without, and they are the more desirable since the money which supports them is not deducted from the ready capital employed in trade and manufacture at home, but is earned in the main outside of the country, in the general field of foreign trade.

Considering, then, the relation that shipping bears to the general welfare of the country, it must be deemed a cause for deep regret that that interest is declining so steadily in the United States. The decay is startling. Nothing seems to stop it. Inland, every form of business prospers, and foreign commerce grows year by year; but no blessing descends on shipping. The sorrowful position of our flag in the carrying trade is shown by the following brief statement of the foreign commerce of the United States:

<i>Fiscal years.</i>	<i>Goods carried in American vessels.</i>	<i>Goods carried in foreign vessels.</i>
1855	\$405,484,000	\$131,128,000
1857	510,340,000	213,518,000
1860	507,248,000	255,039,000
1877	315,652,000	860,919,000
<i>Calendar years.</i>		
1880	254,066,000	1,309,694,000
1881	234,311,000	1,239,647,000

These figures cannot be printed too often. They ought to be placed at the head of a conspicuous column in every newspaper in the

United States, and they should be kept there until this strong nation is awakened to action in behalf of an interest which has been shamefully and disastrously neglected for more than twenty years.

The decline in shipbuilding is equal to that in the carrying trade. The one thing would follow the other, of course. The writer is indebted to Newell B. Walker, Chief of the Tonnage Division of the Treasury Department, for the following statement of shipbuilding, by States, on the ocean and gulf coasts of the United States, showing the changes from time to time:

	1840, tonnage built.	1850, tonnage built.	1860, tonnage.	1870, tonnage.	1880, tonnage.
Maine	38,937	91,212	87,867	74,425	37,165
New Hampshire.....	2,722	6,914	3,808	2,486	.....
Massachusetts.....	17,811	35,836	33,461	29,427	3,819
Rhode Island.....	1,589	3,587	1,395	20	309
Connecticut.....	4,130	4,819	7,758	4,225	5,080
New York.....	13,786	58,342	31,906	33,647	8,729
New Jersey.....	6,792	8,201	4,264	5,077	4,458
Pennsylvania.....	8,136	21,410	21,615	10,340	21,295
Delaware.....	757	1,848	5,826	2,435	8,478
Maryland.....	11,737	15,964	7,799	2,373	887
District of Columbia.....	430	288	2,458	1,036	78
Virginia.....	925	3,584	4,372	1,129	437
North Carolina.....	1,296	2,651	864	408	434
South Carolina.....	306	.....	73	74	212
Six Gulf States.....	1,662	2,573	4,945	3,010	1,398
California.....	.....	.....	2,023	10,316	5,795
Oregon.....	.....	122	.....	988	2,466
Washington Territory.....	.....	.....	.....	1,360	8,943
Alaska.....	.....	.....	.....	56	.....
Totals	101,016	265,351	220,434	182,832	109,978

If it were not for the coasting trade, the change since 1850 would be even more melancholy. Even with the coasting trade, not over 100,000 tons of shipping are now built in the United States every year, while England has nearly a million tons on the stocks, in process of construction, at the present moment.

It is often said that it is all humbug to suppose the art of shipbuilding can ever die out in the United States. The country has forests, mines, fisheries, and a great commerce. With such natural advantages, how can the art ever die out? Unfortunately, natural advantages amount to little in this age. Human enterprise settles every close question now, rather than wealth of material resources. The art of shipbuilding for the deep-sea trade *is* dying out in the United States; and what there is left of it is in the main, strangely enough, carried on in localities which have the least natural advantages. The famous shipyards of twenty and thirty years ago were in New York, Boston, Baltimore and Philadelphia. Ten thousand men went to work every day in the yards of New York city alone. There

were long rows of vessels under construction on the riverside there, and it was not unusual to see fifty or sixty towering clippers and other great ships on the stocks at once. What a change since 1850. The art of building wooden vessels seems to have fled from all of these cities forever. A few tugs, an occasional ferryboat, and a number of small pleasure yachts, embrace the whole annual production of these once great centers of shipbuilding at the present time—at least so far as wooden vessels are concerned. Fine iron vessels are built at Philadelphia, but the old industry has almost wholly died out there. All the four cities named are near enough to the iron, coal and timber supply to carry on shipbuilding with great advantage. Baltimore is the city best fitted by nature for building the wooden vessels required on the Atlantic coast. She is nearest to the oak forests of Maryland, Virginia and Delaware, to which the builders along this whole eastern coast send for their heavy ship timber and such of their planking as is oak. The choice stuff is nearly all cut in this region, much of it going as far north as to the Canadian yards, on the Bay of Fundy. Shipyards planted in Baltimore, or, better yet, on the shores of Chesapeake Bay, near the virgin forests, could obtain the lumber for an oak ship at a saving of from \$3,000 to \$9,000 from the sum which Northern men have to pay for it. Iron, wood and outfits can all be bought there at a saving. But the natural advantages of this region go for nothing. Deep-sea ships are seldom, if ever, built there; and the industry actually thrives best now in the one State where the builders have every conceivable difficulty to contend with, and the least of natural resources to rely upon. To find where the industry still shows vigor we have to pass by Connecticut, with her oak and chestnut; Massachusetts, with her harbors, fisheries, skilled labor, capital, and ancient shipyards; and New Hampshire, with her timber lands and railroads running up into them, until we come to Maine, where there is now no timber left, and where, for the construction of deep-sea ships, the builders are obliged to import from places 800 and 1,000 miles away nearly every ton of wood, iron, copper, hemp, pitch and canvas that goes into their large vessels. The old forests that covered the face of Maine to the very shore of the sea have disappeared, at least for long distances inland from where vessels are built. The trees left standing make a brave show at a distance, but the goodly-sized timber is all gone. Even the hackmatack for the frames and knees of ships comes from Canada a large part of the time. The oak comes from the Chesa-

peake; the pitch pine from the far South; the white pine from the Northern lakes; the best spars and decking from Oregon; the copper, iron, hemp, cotton, linseed oil, pitch, from Pennsylvania, Michigan, the South and the West. A little maple and a little spruce are produced at home, but not much. Maine does not even have the cheap labor which is at the command of the Chesapeake Bay builders. She has now no natural advantages whatever for the building of ships. Yet in no other part of the United States can wooden vessels be built so cheaply and so well as in the enterprising State of Maine. They are bright, smart, skillful men in Maine, and their position in regard to shipping is a credit to their vigor and ability. Another region, which possesses great natural advantages for carrying on this industry is that bordering on Puget Sound and the North Pacific coast, where the fir forests grow. The lumber for a large vessel can be bought in that region at a saving of \$20,000 over Eastern prices. The timber is tough, long, and strong. It makes a good ship. Every effort has been made to attract Eastern capital to the shipyards of that region, yet Maine still serves the country best, and builds and sails the largest, finest, and cheapest wooden vessels built on any of the coasts of the United States. It will not do, therefore, to say that, with the natural advantages such as America possesses, the art of shipbuilding can never decay among us. Natural advantages have nothing to do with the matter. So far as wooden ships are concerned, the art *is* decaying almost everywhere; and, as far as iron ones are concerned, the art is at least stationary.

The evidences of going down hill are quite visible on the Atlantic coast to every eye. A large number of shipyards on this coast have closed, apparently for good. Some have been planted with corn and crops of vegetables. Others are pastures. Many villages in New England of which the yards were once the mainstay and support are fast becoming depopulated. In others the carpenters remain, but have gone into other occupations. It is the testimony of the master builders in these places that it is almost impossible now to collect a force of men to build a vessel. Their men have gone into boot and shoe factories and shops of various kinds, where the pay is fair, the day short, the work light, and employment steady; and no one will leave his comfortable place for the sake of going back to the irregular and laborious work of the shipyard. The census will certainly show a decrease in the number of shipyard employés. It has already shown many coast towns dwindling in size. The protective

tariff has been a great boon to these men who have been thrown out of work, for it has given them a choice of trades to go into, in which the wages approximate somewhat to those they have been receiving in their own industry. Among the master builders there is a great state of agitation and unrest. A large number have gone west to the river and lake regions. Some have gone to the Pacific coast. Half of those who remain wonder if they will ever get another ship to build. Congress has persistently been deaf to all appeals in regard to relieving sailing vessels of the many unnecessary burdens resting upon them, and no one knows what the future has in store, either for the builders in general or for himself in particular. They all have to bid close for contracts, and they suffer frequent losses of money in building. In general, the whole industry on the ocean coast is characterized by all the worst possible symptoms of decline and decay.

Iron shipbuilding must be excepted from the rule. It is the only branch which holds its own and seems to have the element of growth. Inland it is growing. But it makes very little progress on the coast, and one yard has failed and gone out of business within the past year. All the building is done for the coasting trade.

The great majority of yards on the ocean coasts are devoted to the construction of wooden sailing vessels; and it may be appropriately asked whether the trouble with our shipping is not due to the superseding of that form of vessel by some other and better carrier. In the overland carrying trade great changes have taken place within the memory of men now living. The old-fashioned wagon trains have given place to the canal boat, and the canal boat in turn to the railroad train. Is not America falling behind in shipping because she clings to the wooden sailing vessel? What light does the latest information throw on this subject?

It might be well, in the first place, to inquire in what kind of vessels the foreign trade of the United States is now being transacted. There is a way to find out tolerably well, though not from the public records. In New York city a newspaper is printed weekly which contains a full list of all vessels employed in our foreign trade on the day of its publication, no matter in what part of the world they may be. The telegraph makes the printing of this list possible. On the 25th of January last, as fair a day to take as any, the following were the vessels engaged in our foreign trade, except to the West Indies:

<i>Nationality.</i>	<i>Sail vessels.</i>	<i>Steam vessels.</i>	<i>Nationality.</i>	<i>Sail vessels.</i>	<i>Steam vessels.</i>
American.....	837	24	Italian.....	386	5
British.....	1,974	387	Austrian.....	130	....
Norwegian.....	736	....	Russian.....	59	....
Swedish.....	93	....	Greek.....	2	....
German.....	355	39	Haytian.....	....	1
Dutch.....	25	12	Chilian.....	5	....
Belgian.....	1	18	Mexican.....	■	■
Danish.....	18	4	Costa Rican.....	3	1
French.....	55	20	Hawaiian.....	6	....
Spanish.....	91	32	Miscellaneous.....	6	....
Portuguese.....	21	....	Total.....	4,805	546

A condensation has been made from the weekly list for other dates, and the above is a fair average showing. It appears from this that by far the greatest number of vessels employed in our trade are sailing craft. And even if the steamers should be reckoned to be equal to five sailing vessels each, as would be right, the sailing vessels would still be in the majority by far.

Another set of figures may be looked at. At the port of New York there is the largest supply of steam tonnage to be found in any American port. The regular lines of steamers are numerous, and the ships belonging to them are of immense size. The port is always thronged with steamers not running in regular lines—"ocean tramps," as they are called, seeking hither and thither, as do the sailing vessels. If the sailing vessel is being driven out of the ocean trades, surely the best evidence of it would be found at the port of New York. Only a partial showing of the truth can be made, because the Government of the United States does not record the cargoes that go and come by sail and steam separately. But a glimpse at the true state of facts can be gained from the books of Mr. H. S. Vining's Grain Inspection Bureau, which are a complete record of the amount of grain annually exported from New York by sail and steam.

To make the comparison complete, it should be said that the sail vessels get nearly all the oil, lumber and coal, and a vast quantity of the merchandise handled at the port of New York. The steamers get the express matter, the mails, and the provisions and fine freights. Even to and from New York, therefore, the sail fleet still do fully half of the whole business, and probably more. In all other American ports the sailing vessel does as well as at New York, and in most of them far better. So that, on the whole, it does not appear that the backwardness of our shipping is entirely due to the fact that the fleet we happen to have is chiefly propelled by sails. In fact, it is the

judgment of commercial men that the sail vessel—the wooden one, too—must always be employed in the foreign trade. There is room for both the wooden sailer and the iron steamer. Both are useful and popular carriers of goods. Both are in demand, and the former is almost the more valuable of the two to the general public, for it carries cargoes at a cheaper rate than the steamers, and its competition alone is what keeps steam freights down to a reasonable rate. The competition of steam with sails is not what has driven American shipping from the sea.

For 1880 the figures were as follows:

<i>Nationality.</i>	<i>Sail Vessels.</i>		<i>Steam Vessels.</i>	
	<i>No. of Cargoes.</i>	<i>Bushels.</i>	<i>No. of Cargoes.</i>	<i>Bushels.</i>
American	29	1,176,000	....	.....
British	522	24,644,000	907	36,816,000
German	46	2,072,000	110	2,460,000
Belgian .....	....	.....	52	2,308,000
Dutch	8	339,000	23	806,000
Danish	4	63,000	16	426,000
Norwegian	475	13,374,000	....	.....
Swedish	32	864,000	....	.....
French	24	548,000	19	457,000
Spanish	21	358,000	7	180,000
Portuguese	8	163,000	....	.....
Italian	369	12,370,000	14	664,000
Austrian	209	6,276,000	....	.....
Russian	12	370,000	....	.....
Haytian	1	4,000	....	.....
Totals	1,760	62,621,000	1,148	44,117,000

Going on, for the present, with the subject of the sailing vessel, it may be asked if the American marine is falling behind on account of the cost of the ships. The answer must be, “Yes, to a certain extent; but still only to a small extent.” The Germans, Italians and Norwegians can build and sail a ship more cheaply than Americans do, because they are smitten with poverty and their workmen accept a very low rate of wages. But they are not our principal competitors. Their capital is small. They do not build many large ships. As a rule, their vessels are of small tonnage. Their largest ships are in the main American and Canadian built, which have been sold by their original owners to get rid of them. Some dreadful ships have been sold to these foreign buyers. Our principal competitors are the English. A few of their wooden ships, built in Canada from spruce timber, are cheaper than ours, but their oak and teak ones, and especially their iron ones, which are in the vast majority in their fleet,

are far more costly. The ships which take business away from those of the Americans are the iron clippers of England. Yet it is not on account of their cheaper cost, for, while first-class vessels of oak and pine have been built in the United States for years for from \$45 to \$50 a ton, the cost of iron vessels in England has ranged from \$70 to \$100 a ton, and still is as high as \$70 and \$75. It cannot possibly be an advantage in first cost, therefore, which enables Englishmen to put 1,975 sailing vessels into the American trade, when Americans can employ only 840.

Is it a difference in the materials of which the ships are built? Does Norwegian fir, or Canadian spruce, or English iron, or anything, make a better sailing vessel than American oak and pine? In reply, it may be stated, in the first place, that the iron does rank highest with the insurance companies. It is held that the cargoes of one hundred iron ships will be delivered with less damage from sea-water and other elements than the cargoes of one hundred wooden vessels. The ships are tight and strong. They are also proof against fire, and to that extent are safer risks than wooden vessels. The cargo of one iron sailer, oil laden, has been known to burn eleven months at sea, and the ship afterward to be towed into port, repaired, and put into trade again, sound and tight as ever. The iron ship requires a smaller annual expenditure for maintenance and repairs, an advantage so obvious as to require no comment. These are all points in favor of iron tonnage, and they do aid the owners of it greatly in bidding for business. The fact should be frankly conceded, although America does not build iron sailing ships. Live-oak ranks also high with the insurance companies, but nobody builds a live-oak ship nowadays. Some have been built, but their owners have generally sold them as soon as they could, and nearly all of them have gone on changing hands with startling rapidity. They are too heavy. And this suggests the point of weight of hulls. It is often claimed that spruce, fir and iron make a vessel with greater carrying power than American oak and pine do. This is a mistake with regard to fir, because much white pine and hackmatack are used in American vessels, reducing the average weight of the wood in the ship to the average of fir. As for spruce and iron, the following are the facts.

Comparison of three ships of the same molded dimensions, 223 feet long, 43 feet beam, 26½ feet hold, or 28½ feet total depth amidships, registering about 1,950 tons, the displacement being reckoned outside of planking and plating, and weights includ-

ing sheathing and outfits, the oak and pine ship being the Thomas M. Reed, of Bath, Me.:

<i>Kind of ship.</i>	<i>Tons weight of vessel (2,000 lbs.)</i>	<i>Tons displacement, draft being measured from top of keel.</i>	<i>Cargo.</i>	<i>More cargo than oak ship.</i>	<i>Less displacement than oak ship.</i>
At 21 feet draft of water—					
American oak and pine	1,810	4,270	2,460	....	....
Canadian spruce	1,695	4,270	2,575	115	....
English iron	1,430	4,025	2,595	135	245
At 22 feet draft of water—					
American oak and pine	1,810	4,525	2,715	....	....
Canadian spruce	1,695	4,525	2,830	115	....
English iron	1,430	4,310	2,880	165	215

Comparison of three ships of about 1,600 tons register, built to carry the same load at the same draft, the wooden ships being 214 feet long, 41 feet beam, and 26½ feet hold, the iron vessel being a trifle longer and narrower, after the English fashion:

<i>Kind of ship.</i>	<i>Tons weight of vessel.</i>	<i>Tons displacement from top of keel.</i>	<i>Cargo.</i>	<i>Less displacement than oak ship.</i>
At 22 feet draft of water—				
Oak and pine	1,640	4,140	2,500	....
Spruce	1,495	3,995	2,500	145
Iron	1,240	3,740	2,500	400
At 21 feet draft of water—				
Oak and pine	1,640	3,900	2,260	....
Spruce	1,495	3,755	2,260	145
Iron	1,240	3,500	2,260	400

From this it would appear that there is one difference in favor of spruce and iron. In fact, it is estimated as a general rule that a spruce ship ought to carry 120 tons more cargo than one of oak and pine, and an iron ship 150 tons more. Or else spruce and iron ought to carry the same cargo with a smaller draft or displacement of water, which would make them faster ships. In carrying railroad iron, no doubt, the above differences of carrying power and displacement would be found to exist as stated. But it happens, as a matter of fact, in general trade that there is no difference at all in the average carrying power or speed of the three several kinds of vessels. If any margins exist they are too small to be of any practical consequence. The reason is that the bulk of the goods carried across the oceans of the world occupy so much space in stowage that a ship cannot always carry enough of them to sink her down to her load draft. As a rule, a ship

can only barely carry herself full of goods. She can carry herself full of nothing of which two and a quarter or two and a half tons cannot be stowed in 100 cubic feet of space. Of wheat and coal two and a half tons can be put into about 100 cubic feet of space, but the other grains, and flour, hemp, cotton, coffee, tobacco, lumber, provisions, and a vast variety of other goods, take up much more room. So that, while there is a little more room in an iron ship than in a wooden one, with its big beams, knees and keelsons, this extra room and the lesser weight of the hull all practically go for nothing. There is no advantage gained in the general trade of the world by the lighter or slightly roomier hull. Referring to the carrying power of ships recently, the *Boston Journal*, which gives intelligent attention to shipping topics, stated that in the California wheat fleet of 1880-81 the wooden vessels carried 1,367 long tons of grain per register ton of the vessel, and the iron vessels 1,343. The difference was in favor of the wooden ship. In the Oregon fleet the same year wood and iron carried 1,219 and 1,173 long tons respectively—again a difference in favor of wood. At San Francisco so far this year the figures are 1,402 for wood and 1,405 for iron. "A better comparison can be made between iron and wood at that port than any other," says the *Journal*, "for the wheat ships can always obtain a full cargo, and each one carries all it can. * * *

The differences between them are slight and of no practical value. In the long race for final supremacy iron will have no lead in this regard." American ships do not appear to be handicapped at all by the fact of their being built of good American oak and pine.

With reference to the expenses of maintenance, the iron ship is the superior of all other kinds afloat. Spruce and fir are perishable, and even oak and pitch-pine yield in time. The timbers will work and strain, and salt will not preserve them forever. Iron defies all changes of heat and cold, and the action of the air and water. This material has its own bad peculiarities, of course. The iron bottom fouls rapidly with barnacles, and the ship must be put into dry dock and cleaned twice a year. She must be painted continually. The iron plating bends and breaks before a shock at which the wooden walls would smile. But, on the whole, the repairs of an iron ship from year to year are a very small item, and they do not tax the owners heavily. They are distributed over a long period of life, too. So there is a great saving on an iron hull in the yearly outgo of money. But, strange as it may seem, this gives no advantage. It really only brings the metallic ship up to the level of the other. She must posi-

tively be operated at smaller expense in order to pay a dividend on the greater capital it took to build her.

So, finally, it must be said that the sum of all the good qualities of an iron and an oak ship amount to about the same figure. They very nearly balance. The difference is probably in favor of iron, but it is too small to be of much account. It is a remarkable fact that, so far as durability and lightness of materials are concerned, every advantage ever enjoyed over American oak and pine has been offset by some peculiar embarrassment of either cost or inferiority, which has spoiled all the advantage gained.

No doubt, much of the languor and decay which are visible in our shipyards spring from the fact that Americans have paid so little attention to steam. If sailing vessels were not in demand, the men could have been employed in building steamers—iron steamers, too. A ship-carpenter makes a better man to train for the work of the iron shipyard than a boiler-maker. There is nothing he cannot readily learn, and he is already familiar with the peculiar shape of a ship and the manner of solving most of the problems of fitting its parts together. There is a great deal of woodwork, too, about an iron vessel. The idle employés of abandoned shipyards in New England might all have been set to work again upon iron vessels if Americans had paid the same attention to steam that the English have, and had they been as ready to back up the industry with the same governmental protection. The principal firm of builders of wooden vessels in this country, a Maine concern, which launches about twenty barks and schooners a year, is now studying the requirements of iron shipbuilding. There is no doubt that this would have been done long ago by scores of energetic men, with large capital, who have now gone out of shipbuilding or are slowly going out, had there been a governmental policy which favored the production of American iron vessels. What ought to have been done by the Government, it is hardly necessary to say. It is the one thing which the commercial rivals of America have been the most afraid she would do, and which their friends in America have the most bitterly and persistently fought, often with painful ridicule and vituperation of men. America might have laid hold of the same weapon that slew her lines of packet ships and put foreign lines of steamers into their places; or, rather, she might have kept hold of the weapon with which she at first defended Collins in his enterprising pioneer attempt. But she threw it away, and she has lived to see it wielded by her adversaries against

her own unprotected marine until her ships have been nearly driven from the sea, and her shame and loss have become a spectacle for the whole world.

The decline of American shipbuilding springs from a few causes that cannot be helped, and from a few, other than the one above referred to, that can. The Public and Private Warehouse acts were among the worst blows ever struck at a great American interest. It was predicted in Congress at the time the two bills were under discussion that they would throw the trade of the United States into foreign hands; that the American merchant would cease to exist in America, and that our shipping would certainly lose all its prestige and prosperity in consequence of them. The laws have had exactly the effect which was foreseen by a few. It is useless to complain. The Warehouse system is a fixture now, perhaps a useful one, and it would not be profitable to dwell upon the subject. Reciprocity with foreign nations, and the freedom of the seas, which America demanded, fought for, and secured for the whole world, has been another source of injury. Again, it would be useless to complain. Reciprocity is good, even if it brought unforeseen injury to America. Our excellent protective tariff, which has showered incalculable blessings upon the whole American people, is also a drawback to shipping, because it teaches our people to wish to live in better style, with more of the comforts of life, than most foreigners do, enhancing the general cost of operating our ships, and the necessity for big dividends. Let us never complain of the tariff, however. Cheap interest and cheap capital abroad are also an injury to our shipping. They are regarded by many people as insuperable obstacles to maritime enterprise on the part of America. This is doubtful; but, at any rate, none of these things can be helped. It is always best to see facts as they really are, and so they should not be overlooked; but it would do no good to be unhappy about them. There is reason to believe, however, that if the expense of operating American ships could be lessened in a certain way, or in any way, by paying attention to certain things which *can* be helped, our whole shipbuilding and shipowning interest would revive, both as regards sail vessels which we do have, and steam vessels which we do not.

Many of the things which can be helped are already known. They have been discussed in public and private for several years. Mr. Russell's committee named them in its report. There are a multitude of small ways in which an American ship is taxed and burdened

from which foreign ships are generally free. Local taxation, which is as high as 3 per cent. in Maine, and from 1 to 2 per cent. in many other States, is a very heavy burden. The only taxation a ship should pay into the public treasury in any form is either a small income tax on its net earnings, such as English ships pay, or a small tonnage tax every time the ship enters an American port. Local taxation is uncalled for, and is injurious to the very States which exact it; and the tonnage tax, as now levied, is a discrimination in favor of steam as against sail. The English steamer of 2,000 tons register, which makes ten round trips a year between New York and Liverpool, earning enormous sums of money, pays no more tonnage tax in a year than the American sailing ship which sails from an American port once, or at most twice, a year, and which does not earn one-twentieth of the money the steamer does. This ought not to be. Seeing how well the public is served by the sailing vessel, the laws ought to be changed so as to give that carrier at least an equal chance with steam.

There probably is no need of reciting the whole list of small charges which come upon an American ship. They are now tolerably well known. They arise from the manner in which the vessels are taxed; the way in which their tonnage is registered; the regulations as to the very important matter of shipment and discharge of seamen; consular charges; the lack of privileges in the purchase of stores and outfits; the unjust law which compels them to carry the mails without the privilege of bargaining in regard to the pay for so doing; and many other similar sources. And yet, while the public has been much informed about these things by Mr. Russell's committee, by the speakers at late conventions, and by the newspaper press, it must be said that information is yet greatly needed in regard to many of the points referred to. The writer ventures to say that there is urgent need of a full investigation, which shall especially extend to a thorough inquiry into all the regulations which the ingenuity of European governments has devised for the benefit of their shipping, and to their whole policy on this important subject. There are a vast variety of regulations abroad of which we have very little exact information, all looking to the cheapening of the ship itself, and of its expenses after it is built, and the payment to it of large sums of money for mail service. Land is set aside for shipyards at a low rent, and a multitude of favors are granted to builders and owners by local and public authorities. This is the one branch of the subject which remains to be studied, and it should now be rigorously investigated. One of two practical steps

should certainly be taken. The consuls of the United States abroad might make an elaborate and exhaustive research of the subject. The consuls and officers of England have repeatedly investigated our American cotton, woolen, silk, iron and agricultural industries, preparing reports on them more valuable than any ever printed on this side of the ocean. We might return the compliment. Or else, as the regulations which govern our consular service itself comprise one of the things which most needs investigation, a competent person might be sent abroad to do the same work; as, for instance, a well-informed naval officer, or some friendly shipbuilder or owner, such as could be named by the Boards of Trade in Boston, or in Bath, Me., or in Philadelphia. In one way or another the thing should be done. The American Congress would be much in the dark if it did not have full and trustworthy information on this subject.

There is the more need of official action because of the singular fact that the shipbuilders and shipowners will probably never make this investigation for themselves. There are only a very few of them—the number is less than ten—who have disentangled themselves of late years from the engrossing practical work of their trades, and have given much attention to the general questions affecting the welfare of their own professions. Shipping men are a practical race of people, all the way up to the greatest lord of them all, men of much force and sturdy independence of character, used to relying on themselves also, and utterly unacquainted with the art of acting in concert with each other, as men do in other trades. It was lately pointed out by the *Boston Journal*, while urging ship men to organize, that, while the iron and steel men have learned to act together, and farmers and various large classes of manufacturers, yet “never since the foundation of the Government have the builders and owners of ocean shipping been organized into a national association for the protection of their own trade. * * * Looking back over the past twenty-five years of decline and ruin, no fact presents itself with more striking force than the feebleness with which maritime men have defended the maritime interests of America. It is a strange phenomenon. Here is a great body of men, scattered over every part of the country, living by the forty or more trades which depend upon shipbuilding and shipowning for their prosperity. Their industry is a great one. There is no other which is pleasanter to follow, or which is much more important to the country itself. Yet they never strike a strong blow in their own behalf. Whatever is done is done by individuals. * * * No action is har-

monious. No two voices are alike. All that our congressmen hear from the shipping interest itself is a bewildering babel of conflicting sounds and ideas." How singular this is. The worst of it is that it appears to be true. Possibly an investigation into the regulations of other Governments in regard to shipping ought not to be conducted by private individuals. Possibly it ought to be official anyhow. But, whether it should be official or not, it will have to be made at the instance of the Government, or it will probably not be made at all. This investigation is the more necessary because there are many features of European policy in regard to shipping which are not understood in this country except in a cloudy way, many about which there is much dispute, and others of which we know nothing at all. If made in a thorough and disinterested way, it would not fail to be of much benefit, no matter what its results might be. It may be that the odds are really too great; that America is destined to be great only on the land; that her maritime glory will hereafter only be a bright and splendid memory. It would save much waste of capital and effort if it could be clearly known that it would be of no use to try to rebuild the fortunes of our merchant marine. On the other hand, if there is a chance to make this the first of all the maritime nations of the world, Americans ought to know that, too. Should Congress order this much-needed investigation, it would be a gratifying pledge of its interest in a great and important cause.

HENRY HALL.

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OUR EXCESSIVE REVENUE IS ENGENDERING
NATIONAL CORRUPTION.

WE are embarrassed by our riches. The gravest dangers that impend over our country can be averted only by the reduction of our excessive annual revenue. It seems to be easy enough to avert these dangers, as it can be done by repealing invidious and onerous taxes, the proceeds of which are not needed by the Government. This is, however, an erroneous conclusion. The disbursement of more than \$5,000,000 annually, the employment of 4,000 partisan agents by the Treasury, and the distribution by representatives and senators of thousands or millions of dollars during each Congress in their respective districts, are privileges that will not be lightly surrendered. Indeed, the action of the present Congress justifies an apprehension that it may require a repetition of those emphatic protests against internal taxation as a peace measure, known as Shay's Rebellion and the Whisky Rebellion, to force the repeal of these taxes.

Internal taxes were regarded by the framers of the Constitution as a war resource. Had the present Congress been animated by the sentiment of Jefferson, Madison, Monroe, and their associates, it would have relieved the people of taxes which will this year exact from them not less than \$75,000,000, and would have supplemented this action by declaring the dates in 1883 on which all other internal taxes should cease to be collected. This could have been done without endangering the credit of the nation or reducing its revenue

below a point which would leave an annual surplus applicable to the extinguishment of as large a portion of the public debt as is advisable in view of the fact that the $4\frac{1}{2}$ per cents cannot be redeemed at par before 1891, and the 4 per cents before sixteen years later, or 1907.¹

The annual increase of our revenues from all sources during the last fiscal year amounted to nearly \$45,000,000; our interest account was reduced by more than \$17,600,000, and the annual increase of receipts from internal taxes for the last three years has exceeded \$11,000,000 per annum. In the fiscal year 1879 these receipts exceeded \$113,000,000; in 1880 were more than 124,000,000; in 1881 they were over \$135,000,000; in 1882 they were \$146,657,737; they promise to be during this year nearly or quite \$160,000,000.²

During 1881 we extinguished more than \$100,000,000 of our debt; during the last year more than \$151,000,000, and the payments during the months of July and August indicate a payment of more than \$180,000,000 this year, notwithstanding the fact that we apply in this year to pensions \$100,000,000, or more than one-third of the sum required for the settlement of arrearages. When this settlement shall have been completed, as it will be in less than three fiscal years, the requirements of the Pension Office will sink from \$100,000,000 to less than \$50,000,000 per annum, and the too rapid extinguishment of our debt now in progress, together with the reduction of the rate of interest on \$200,000,000 of it from $3\frac{1}{2}$ to 3 per cent., will have greatly reduced our annual charge for interest.

Yet with this steady reduction in the charges for legitimate annual expenditures and this steady increase of revenue glaring in their faces, a majority of neither party in the Forty-seventh Congress could be brought to believe it expedient to lighten the burdens of the people by materially reducing the surplus revenue, though its collection is

¹ That the entire sum collected from internal taxes during 1881-82 was a useless exaction, is proven by the books of the Treasury. Not a dollar of the amount was required by the legitimate expenditures of the Government, including pensions, interest on the public debt, and \$19,703,347 appropriated for public buildings and the improvement of rivers and harbors. The amount collected was \$146,479,595. To make these collections cost \$5,108,300, yet but \$953,785 of the proceeds of these taxes were required to meet all expenditures of the Government, including the cost of their own collection. In a statement of the receipts and expenditures for the year, prepared by the Warrant Division of the Treasury, August 20, \$145,543,810 appears as surplus revenue, showing that less than \$1,000,000 of the proceeds of these taxes had been disbursed.

² The amount abstracted from the people by these taxes during the past fiscal year was equal to a charge of 4 per cent. on \$3,666,443,428 of the productions of our fields, factories and mines, and must, in an infinity of cases, have determined the question between a probable profit and an actual loss.

fraught with grave dangers to the productive and commercial interests of the country, and its reduction had been urgently recommended by the President and Secretary of the Treasury. No; Congress preferred maintaining taxes which will, during this fiscal year, abstract from the American people \$160,000,000 as the price of the privilege of borrowing bank capital and deposits, and of consuming the products of native fields and factories. It must be borne in mind that tobacco, distilled spirits, alcoholic medicines, perfumery and other products, subject to taxation when consumed at home, are relieved from internal taxes when exported. It is the American people who pay these millions, and the whole sum is added to the cost of living in this country, in a period when the strife between the United States and other nations is as to the question of their so cheapening production as to invade our home market by offering to sell commodities at prices lower than those at which the overtaxed American people can produce them.

In my advocacy of the abolition of the internal tax system I charge—

First—That the further maintenance of these taxes is a wanton exaction, the collection of which costs over \$5,000,000 annually, and employs more than 4,000 people.

Second—That they are productive of monopolies, and have reduced to the wage-earning class many thousands who formerly sold at retail or otherwise the productions of their own workshops.

Third—That their burden falls with greatly disproportionate weight upon the poor and laborious classes of the people.

Fourth—That if maintained they will corrupt not only the legislative department of the Government, but portions of the people in every State of the Union.

Fifth—That if not speedily repealed they will, by producing a financial convulsion, create widespread revolt, which revolt will not be marked by a sectional line, but will pervade the entire country.

In support of my first proposition, I refer to the increasing rapidity with which we are extinguishing our debt, of which but about \$400,000,000 is payable at par prior to 1891. The collection of taxes beyond the just needs of the Government is certainly a wanton exaction.

In support of my second proposition, I appeal to those who purchased matches or cigars before the imposition of internal taxes. They will remember that the manufacture of these articles was carried

on in all parts of the country by enterprising people of small capital. One class found profit in selling the common brimstone match at such prices as enabled retailers to sell two boxes for a cent, and higher grades at proportionately low prices. Under the operation of the tax law these small establishments have all been extinguished. Their trade has been absorbed by the monopoly known as the Swift, Courtney & Beecher Company, who are said, as I believe with truth, to have an interest of more than \$3,000,000 annually in the maintenance of this tax.

Under the provisions of the tax law, the man whose limited capital will not permit him to furnish the die for his own stamps to the Government, or buy more than \$50 worth of stamps at a time, must pay cash and par for his purchase; but he who can order more than a thousand dollars' worth, and can furnish the Government with a die for his stamp, may, on giving bond for payment in sixty days, have them with that credit and a reduction of 10 per cent. from the par value of the purchase. This the monopoly syndicate finds no difficulty in doing, as its annual profits are, as I have said, told by millions of dollars. The tax yielded the Government \$3,272,258 during the last fiscal year, and was worth, upon the best information I have been able to obtain, more than this sum to the syndicate. This monopoly, having through its apparently omnipotent lobby succeeded in preventing the repeal of any internal tax during the last session advanced the price of every grade of matches to wholesale dealers coincidentally with the adjournment. Candor requires me to say that neither party is exclusively responsible for the defeat of the "Tax bill." Hostility to the reduction of internal taxes controlled in equal degree both parties. Thus the match tax, having been courageously championed in the House by Messrs. Page, of California, and Hazelton, of Wisconsin, Republicans, was defended in the other chamber with equal zeal by Senator Bayard, of Delaware, a Democrat.

The tax on cigars has been no less effective in concentrating their manufacture in a few hands. Before its imposition thousands of infirm or crippled men, and thousands of women, most frequently widows with children to aid them, manufactured cigars and sold them at retail from the front room of their little homes. These small establishments were found in every city and considerable village in the country; but they have all disappeared, and those of their proprietors who had not the capital to engage in other pursuits have been forced to accept employment in large factories.

The first tax imposed on cigars was \$10 a thousand, or one cent on each cigar. It is under existing statutes \$6 a thousand, or six-tenths of one cent on a cigar. Before the imposition of the tax the cheapest grades of cigars (and they all had the merit of being free from adulteration, which few of the higher-priced cigars now consumed have) were known as common, or "stogies," sold four for a cent; "half Spanish," sold two for a cent, and "Spanish," which were retailed at one cent. The tax, a cent on each cigar, was at the rate of 400 per cent. on the common cigar, 200 per cent. on the half Spanish, 100 per cent. on the Spanish, while on the 25-cent cigar of the rich man it was still a cent, or 4 per cent. But some controversialist may suggest that the workingman took to smoking his pipe to escape this invidious scale of taxation. Unhappily the percentage of taxation imposed on smoking tobacco was as heavy as that on cheap cigars, and, indeed, sometimes still heavier. This inordinate taxation rendered the production and sale of common, half Spanish and Spanish cigars, impossible. There were no coins in circulation that represented the original price of common and half Spanish cigars. The consequence was that two cents was the lowest price at which a cigar could be sold, and the cheapest cigars put on the market were in fact retailed at the rate of two for five cents.

Nor was this the worst effect of this unequal tax. Throughout what was then known as the tobacco belt—Maryland, Virginia, North Carolina, Kentucky and Tennessee—the poorer class of farmers occupied patches of light, leachy soil, upon which fertilizers were wasted. If applied in the fall their effect was washed out before the growing spring-time came; yet humble livings were obtained by growing tobacco on these estates for the lowest grades of cigars alluded to. The tax which prohibited their use consequently proved to be equal to the confiscation by the Government of these small properties, and it beggared their owners. What has been said on the subject of cigars may be applied to many other features of the law taxing tobacco.

In support of my third proposition, I call attention to the fact that those members of either house who resisted reduction of taxes charged that the taxes which were to be abolished by the "House bill" were paid by the rich, and that no relief would be given to the poor by their repeal; that the authors of the bill were anxious to relieve banks and bankers, while offering no relief to the laborers and small tradesmen of the country. These demagogic assertions are abundantly refuted

by what has been said on the subject of matches and cigars; but let us proceed.

Banks, whether State, National or private, are not eleemosynary institutions. Like other business establishments, they are organized for profit which they hope to gain by promoting the interests of their customers. The thrifty laboring man and small trader finds a convenient place of deposit for his daily or monthly balance in a neighboring bank. The trader finds comfort in the consciousness that his line of deposits may secure him discounts proportionate to the character of his business. If banks and bankers, unlike farmers manufacturers and merchants, are taxed on their capital, and especially on their deposits, which are oftentimes made up of the savings of the thriftiest laboring people, these items must enter into the rate of discount charged for loans. It is obviously the borrower who pays the taxes assessed on bank capital and deposits.

The proposed repeal of the stamp on bank-checks, too, was denounced as a measure of relief to the rich. Laboring men—and I found them by thousands during my recent visit to the West—who have separated themselves from their families until they can establish homes in the locality of their adoption, deposit their wages with the local bank or banker and make remittances for the support of their families by drafts obtained in exchange for their own checks. Those engaged in petty commerce, all over the country, draw many checks ranging in amount from five to one hundred dollars. On each of these the laborer and petty dealer must put a two-cent stamp, but when Jay Gould bought the Denver & South Park Railroad for \$2,500,000, he put but a two-cent stamp on the check with which he paid the whole sum. When, recently, a check was given for a railroad by an eastern banking house for some nine or ten millions of dollars, that house put a two-cent stamp on it. The great settlements of Wall street, in which checks for hundreds of thousands and millions of dollars pass, require but the two-cent stamp which the laborer and petty dealer are required to put on their checks for small sums.

Were the proceeds of this tax required by the Government, it should be put on a basis of more perfect equality. Checks for less than \$100 should be made free, and there should be an increase of rate for every additional thousand, so as to make capital pay the same percentage that toil and honest thrift pay. But the proceeds of none of these taxes are required by the Government.

Did those who strove to overthrow the internal tax system seek to

serve the rich only? The gas in the homes of the wealthy is lighted by spirit-flame, but the lamps of the poor consume matches, to the price of which the tax has added many hundreds per cent. for the benefit of a private company. Why should the miner in the dark region in which he works, and the toiler anywhere, be compelled to forego the simple luxury of a cigar, or pay for one a sum which, but for these taxes, would buy him ten? Why should the poor laboring man when a physician has prescribed an alcoholic remedy—for instance, any of the wide range of tinctures—find that the United States Government, by its tax on alcohol, has doubled or trebled the price of the prescription? Why should the Government step into every eleemosynary institution for the relief of invalid poor and demand a share of the voluntary contributions by which it is supported, before permitting such medicines to be administered to a charity patient? In truth, it is upon the poor that all these taxes fall. It is labor which pays all taxes, for without labor the means of supporting society or Government would not be forthcoming, and it lies upon those who insist on maintaining these taxes to show why the Government shall add nearly \$160,000,000 this year to the burdens of the producing classes of our country.

Fourth—In support of this proposition I point to the reckless extravagance of the first session of the Forty-seventh Congress, and to the manifest determination of a majority of the members of both houses to inaugurate a system of national canal building, which will only be perfected when it shall have been organized into as effective a system of log-rolling as is shown in the passage of Public Buildings bills. This scheme has been fairly launched. The friends of the Chesapeake & Delaware Canal were not indifferent to the claims of the Hennepin Canal, and surveys of both were appropriated for.

Until the next session adjourns no estimate can be made of the amount that will be appropriated by this Congress for public buildings or the wanton extravagance which will characterize such appropriations. On August 9 the Associated Press sent forth a statement of the relative appropriations of successive Congresses for public buildings. Its object was to prove that in this particular class of appropriations the Forty-seventh Congress has been most costly. The statement purported to have been prepared by my colleague, Mr. Shallenberger, Chairman of the House Committee on Public Buildings and Grounds. I cannot but believe that injustice has been done Mr. Shallenberger in ascribing this statement to him. I have never

found him other than a candid man; but this statement is so wanting in candor that I have been disappointed that he has not disclaimed it, and called the attention of the people to the fact that the appropriations for other years given in this statement represent the entire Congress, and that those for this year represent but one session. A comparison of what this Congress will do with what others have done in this respect cannot yet be made. To invest this statement with a semblance of candor, it should have alluded to the number of bills which have been reported to the House by the committee, with the total expenditure therein proposed; also the number of bills for such appropriations passed by the Senate, which are now on the Speaker's table, ready for action by the House; and, still further, the number of bills before the Senate which originated in that body, and upon which action is yet to be had. None of this is done, and the delusive statement would lead the uninitiated to believe that \$6,357,000 is the total sum appropriated and that may be appropriated for public buildings by the Forty-seventh Congress, while the truth is that should the same looseness prevail in the second session as in the first, the amount can hardly sink below \$10,000,000, and may exceed \$12,000,000.

I must not be understood as charging these expenditures as evidence of the special corruption of this Congress. I make no such charge. The Forty-seventh Congress is like its predecessors, a fair representative of the sentiments and commercial morals of its constituencies. My point is that the excessive and dangerous revenues of the Government derived from taxation especially oppressive upon the poorer classes of the people, often constrain good men to tolerate these extravagant appropriations. During the latter weeks of the session a working member could hardly abstract his thoughts from the consideration of a special subject for a moment without hearing the whispered or vociferous assertion that the money to be appropriated was lying dead in the Treasury, and that the building, though not needed at the present time, would be useful in the near future, and that it was a duty we owed the people to put this dead money in circulation. To this suggestion of duty to the many, the gentleman from Nevada, if I may accept the telegraphic report of his remarks, added another reason for such legislation which was as frank as it was unique. The representative of that perishing State,¹ whose

¹ The population of Nevada, as returned by the Census of 1880, was 63,483, and that of Carson City, 4,229.

exhausted mines and alkaline soil will not support a population numerous and prosperous enough to bear the expenses of a State government, found among the bills providing for public buildings, which had been passed by the Senate and are now on the Speaker's table ready for action by the House, one appropriating \$100,000 for a building at Carson City. In presenting the claims of Nevada for such an appropriation, he reminded the House that the State of Nevada, though it contains over 100,000 square miles of territory, had not within its limits a river or harbor, and that if it should not obtain a liberal appropriation for a public building, it could get no share of the money which was being so liberally dispensed. Of course I shall be understood as simply presenting his argument, and not as reproducing the gentleman's language. He was not indulging in a joke. He was in dead earnest; and unless popular indignation makes itself felt between now and next December, Nevada will unquestionably receive the appropriation provided for in the Senate bill. It is true that her few people have no need of a custom house or court house, and that they are provided with ample post office accommodation. But if such a building be not erected how can Nevada's needy contractors be given their proper share of the useless treasure we are extorting from taxpayers.¹

Let me hasten to a close by rapid reference to facts which justify me in saying that the continuance of our internal tax system will, within four years, inevitably produce popular resistance to the collection of such excessive revenues.

The last debt statement, that of August 1, shows a payment in the preceding month of over \$16,000,000, and for July and August of \$30,000,000, leaving a balance of \$32,755,400 of extended 6s, which have also been called for payment. Beyond these there are \$401,496,900 of extended 5s, which are payable at the option of the Government. These the surplus revenue we are now receiving will extinguish before the end of the fiscal year 1885. What will then be the financial condition of the Government, and how will it affect the trade and industries of the country? The Treasury will be gorged, and trade will be convulsed and paralyzed as never before. The affluence of the Government, coupled with its inability to invest its surplus, will impoverish the people. What effect would the

¹ Nor do Nevada's payments of internal revenue require such a building. During the last fiscal year she paid but \$49,103 internal taxes, a smaller sum than was paid by any other State, or by the Territories of Dakota, Montana and New Mexico, respectively.

locking up in the Treasury for a few months of from \$12,000,000 to \$20,000,000 per month have upon values? How long could such a process be continued before idleness would be the lot of every laboring man and bankruptcy that of every manufacturer or merchant whose goods, if sold on a rapidly declining market, would not enable him to meet his current obligations or the interest on incumbrances on his estate? I need not consume time in portraying the effects of such a contraction of money and credit as this procedure would cause. But could not the Treasury avoid so dire an alternative? Could it not disburse this money? will be asked. And in response I ask how it could legitimately relieve itself? Its only legitimate means of relief would be to buy its own bonds at whatever price those who hold them would consent to accept for them. The holders of these bonds know that the Government is not now buying bonds, and that they yet command large premiums. To what figures will the premium go if the Treasury shall be compelled to enter the market and buy at the rate of from \$10,000,000 to \$20,000,000 per month, as it will be compelled in 1885 if the internal tax system shall not be promptly abolished. This will be its alternative: To accept the consequences of producing universal bankruptcy or to make monthly purchases of bonds at such prices as will tempt the Vanderbilts, the Goulds and Rothschilds of the world to sell them. Then will the story of the gold-room be reënacted in the bond market; and there is no reason why holders of our bonds may not put the premium up to 100 or 165, as was done with gold. The law-making power cannot force a citizen to part with his property for less than he is willing to accept for it, and the class of people who hold our bonds, when they shall know that fate is on their side, and that their property must be bought at any price, will see that their margin of profit is sufficient to satisfy their rapacity.

I need not dwell further on this point, but may in closing ask what will be the attitude of the taxpayer under such circumstances? Will the poor man, who must forego his cigar or pipe of cheap tobacco in order to provide the funds with which to make these gratuities to men whose inordinate wealth renders them dangerous to the State, quietly continue to be taxed for such purposes? Ninety cents per gallon of proof spirits is the equivalent of a tax of \$3.60 on a bushel of corn. Will the farmers of the corn-growing States consent that there shall be paid on each *peck* of their corn prepared for the use of science and the arts by conversion into alcohol, a tax of 90 cents

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before its first manufactured product may go upon the market? Shall every man and woman who lights a match feel that it has cost from five to seven hundred per cent. more than it should have done, in order that vast gratuities may be bestowed upon men who buy long lines of railroads with their equipments with more ease than the miner buys a box of matches? In view of these questions, the story of Shay's Rebellion becomes significant, and we are reminded that while Washington was yet President, and the revenues of our infant Government were but \$6,000,000 a year, resistance to the collection of internal taxes in time of peace arrayed against the Government an army which was deaf to the voice of Washington and the appeals of patriotism, and yielded only to a superior army drawn from the militia of the several States, the maintenance of which during its service cost the Government 25 per cent. of its net annual income, or \$1,500,000 per annum.

I claim no gift of prophecy. Nor am I a Cassandra. I have made the foregoing presentation of facts to the American people in the firm faith that they will constrain a reluctant Congress to exclude the possibility of such contingencies as I foreshadow.

W. D. KELLEY.

GOLD AND CALIFORNIA.

THERE was little of the dramatic in the incident of the discovery of gold in California. No thunder came from the clouds; no colors were unfurled as the bugles rang out or drums beat; no chanting priest, with choir and incense, was present as an accessory of spectacular effect. Mother Nature, silently and steadily through millions of years, had been undoing the violent acts of past ages by eroding the mountains, with the aid of sun, rain and wind, and unlocking the laboratories of the gods. The mountain streams floated away the golden particles set free from their quartz matrix and deposited them in the gravel and soil of the valleys and plains. Here they waited for the adventurous hand to uncover and lift them into an active agent for the weal or woe of mankind. For who can surely state that gold and silver have not produced more misery than happiness among the sons of men?

Spanish and English navigators never dreamed of the vast hidden wealth of the foothills of the Sierras. The Indians—descendants of a once powerful and superior race—knew nothing of it. California was called a desert, fit only for the residence of nomads (Indians), cattle and sheep. Mr. Webster, in the Senate in 1846, said that, with the exception of the bay of San Francisco, which might be of service as a naval station, she was almost worthless. Five years passed, and the eyes of Mr. Webster were opened.

Captain John A. Sutter, a Swiss supercargo of an English vessel, chartered by an American—which had been to Sitka, in Russian America, from the Sandwich Islands, on a trading voyage—was driven by stress of weather to enter the bay of San Francisco on July 2, 1839. He anchored opposite Yerba Buena. The vessel was ordered away by the authorities to Monterey, the port of entry, where Sutter left her. Here he met and received from the Mexican Governor, Alvarado, a conditional grant of land, afterward confirmed, in Sacramento Valley for grazing and farming, he agreeing therefor to protect the Mexican settlements on the north from the Indians.

August 16, 1839, he and a party of ten white men, with eight Kanakas, landed at the now city of Sacramento, and here located and built the famous Sutter's Fort. Born in Baden, February 28, 1803, he entered the army of France, in which he served until thirty years of age, in 1834, when he embarked for and landed in New York in July. Filled with a desire for adventure, he located a colony at St. Charles, Missouri, and in 1835 and 1836 explored New Mexico. In 1838, in company with Captain Tripp, he crossed the plains to Echo Canyon, and thence, with six companions, pushed on down Snake River, crossed the Blue Mountains, and thence to Fort Vancouver, from whence, as the safest and shortest way of reaching California, he sailed to the Sandwich Islands, hoping to find a ship direct to California. Travelers now in palace cars by rail, and by floating palaces on the sea between California and Oregon, can find much food for reflection in Sutter's manner of reaching California.

Sutter's Fort became a rallying point for Americans and Europeans. He was Governor, Judge, Arbitrator—all by virtue of having an appointment as a Justice of the Peace. He was a feudal baron—with a wealth of broad acres and fattening herds. He owned the old Russian settlement of Fort of Ross and Bodega, and the site now occupied by Sacramento City. He expended \$35,000 in getting his ranch in condition. His possessions were known as New Helvetia.

What dreams of empire must have hurried through the head of the grim warrior. New Helvetia! A Switzerland of freedom in the New World, and he its chief. Forty years afterward, when his fort had crumbled in decay, and a great commonwealth, with free institutions and elective rulers, had arisen—its capital near or on the site of his fort—what must have been the old hero's reflections as, infirm and poverty-stricken in an interior town of Pennsylvania, he recalled gilded dreams of young manhood on the banks of the Sacramento.

July 11, 1846, Sutter raised the American flag over his fort. Lieutenant Missroon, of the United States Navy, came shortly afterward, organized a garrison, and Sutter took command. He was Alcalde of the district by appointment of Commodore Stockton and Indian Agent under General Kearney.

After 1846, the spirit of adventure, aided by the Mexican war, was abroad in the Eastern States. The plains, California and Oregon, were objective points. Railroads, steamships and the telegraph, aided by the press, were drawing communities together and making known the far West. The Mormons were already in California (arriving July 31, 1846), as well as in Utah. They emigrated thither because they would be out of the jurisdiction of the United States. Sutter's Fort was synonymous with hospitality. He was generous, brave and benevolent. In his employ as a mechanic, in 1847, was a man, a native of New Jersey, who came of good, old Revolutionary stock, his grandfather having been a signer of the Declaration of Independence. He emigrated to Oregon in 1843, and the next year to California. He served through the Mexican war, in the California Volunteer Battalion, under John C. Fremont. His farm was broken up during his absence, and he was employed as a carpenter by Captain Sutter. In a new settlement any person who can drive a nail or saw a board without breaking the saw is a carpenter. In May, 1847, James W. Marshall was about 38 years of age. He was described as an earnest, faithful workman—reticent, stubborn and eccentric. Sutter sent him with some men to locate and build a lumber mill at a point about 40 miles above his fort and store, on the South Fork of the American River. Lumber was in demand, and found ready sale to the Mormons and other settlers in Sacramento Valley. In August, 1847, Marshall, after prospecting the timber, made a contract with Sutter to erect and manage the mill. It was located and erected in the foot-hills of the Sierras, at a place called by the Indians Culloo-ma, now known as Coloma, Eldorado County, California, at an elevation of about 1,000

feet above the sea. Through the fall and winter of 1847, he and his men worked at the mill, drawing their supplies from Sutter's Fort. Finding gold was the last thing thought of. His prospective wealth was in the towering pines and the whirl of machinery. In 1843, a Swedish scientist, Doctor Sanders, wandering in the wilds of California—and what place is free from these pickets of civilization?—came to Sutter's Fort. He had been sent from Mexico by the English Duke of Bedford, to explore the country. England at this time intended to seize California. The prompt action of Commodore Sloat at Monterey, in 1846, prevented this. Sanders prospected the Butte Mountain regions, and told Sutter that he found evidences of gold—only traces of it—but that he would not advise him to work for gold, as the Government alone could make mines pay, provided any be found. His advice was that Sutter stick to farming, saying, "Your soil is your mine."

Marshall, in digging the tail-race for the mill, dug it too narrow; when tried, it would not permit the escape of enough water to turn the wheel. To save labor and time he turned the water into the race direct, with a strong current or head, and ground-sluiced it wider. This carried a heavy deposit of dirt and gravel to the end of it. On the morning of the 19th of January, 1848, while watching the water pass out, he stooped to look at a queer-looking stone in the bottom of the race, when his eye caught the glitter of some rough nuggets of metal. He took one up, as it had a curious color. Like an inspiration, the thought crossed his mind that it was gold. This simple thought, which grew into a fact, founded a State. It was an act fraught with more interest and value to the republic than any other single event in its history, save the Declaration and the War of the Rebellion.

He hastily gathered up a quantity and secretly examined them. From day to day he gathered more and explored the country. His men had no idea of the character of the curious particles which they gathered and stored away. Marshall was uneasy and excited. He feared the consequence of the discovery being known. He wanted the mill completed according to contract, and in time. This would be impossible with the fact known that gold was near. Making an excuse after a delay long enough to allay suspicion, meanwhile bearing within himself the knowledge of an epoch of history, he started for Sutter's Fort. He arrived there during the night of February 2, 1848. Drawing Sutter into a room he locked the door. Laboring

under great excitement, with haggard eyes, weary look and mud-spattered clothes, which raised the question of sanity in Sutter's mind, he drew from his saddle-bags a buckskin pouch, and poured out on the table about an ounce of coarse lumps of metal. He said, "these are gold." Sutter doubted. On leaving the Sandwich Islands a friend had given him a case of medicines, which included a bottle of nitric acid. He had never used it, and feared that it was lost or broken. Hastily searching he found it, and in the glare of a lamp the two men sat facing each other as Sutter dropped a portion of the acid on the metal. It was a moment of dread suspense. If it frothed and turned green, it was base metal; if it lay quiet in liquid form, it was gold. Each man watched with suspended breath for a change. It did not come; and as they clasped hands over the table each said—Gold!

Marshall at once returned to the mill. He left in the night, in a furious rainstorm, Sutter following the next day. They found the mill-hands picking up gold and stowing it away as pretty pebbles. Sutter at once took them into his confidence and told them what it was, they agreeing to keep it a secret until after he could get his crops in and his mill finished, as he dreaded the rush of people that would follow the announcement of the discovery. Sutter returned to his fort on the 5th of February, supposing the secret safe; but whisky ordered otherwise.

About the 10th of February he sent a teamster to the mill with supplies for the men. He heard of the discovery from them, and they gave him some. On his return to Sutter's, about the 20th, he went to a store kept by a Mormon and asked for a bottle of whisky. He was refused, because the storekeeper did not think he had money. He threw on the counter several ounces of nuggets, and said, "I can buy your old ranch. Them's gold." The astonished Mormon plied him with whisky, loosened his tongue, and the facts about the discovery and location of gold became known. All this spread like a prairie fire. Within three months four thousand men were at work hunting gold around Coloma. Oregon, Mexico and the Sandwich Islands poured in the people. It required three months for the news to reach throughout the States, and four to reach Europe and Australia. Gold in California! Rich and poor, old and young, blind and maimed, started for the diggings. The pilgrimage began overland from New Orleans and St. Joseph, Missouri. Ox, horse, mule and cow teams covered the plains. Wheelbarrows and handcarts

were also used. Cholera, Indians, small-pox, all tried to stop the American crusaders. It was useless; just over there was California, and there was gold. Legions of unmarked graves tell the story of the march. Strong men and feeble women, with drooping eyes, put their darlings away in the bosom of the desert. Fathers, sons, daughters and mothers, frequently found the same grave. The restless tide of gold-hunters was never checked.

The ocean was covered with strange craft, bound for the Isthmus or around the Horn. No dreams of romance from the misty lore of Oriental legends were more startling than events that followed. On the steamer *California* the crowd of passengers was so dense that a party of four young men, finding no room for a table on which to play a social game of cards, and seeing a stout man on the cabin floor asleep on the flat of his back, used his stomach for a card-table. It worked well until one of them, becoming excited, threw a trump down on it with such emphasis as to awake the owner of the stomach. He raised his head, took the entire thing in at a glance, and laying back, said: "It's all right, boys, go ahead; but use me gently." It was a Baptist minister from near their home. The Eastern seaports were crowded with bearded and red-shirted men, waiting for a ship to California. Ships' crews deserted entire. The army became soldierless in California. Ministers, bankers, laymen—the godly, the flesh and the devil—all joined in the chase for riches. Gold was the fox; the world the hounds, and all in full cry. The Mexican War soldiers aided in the movement. The rivers of California were covered with all manner of vessels, loaded with supplies for the diggings. The trails—there were no roads—were covered with pilgrims. The streams had no bridges, only fords and ferries. Bacon was \$2 to \$3 a pound; calico \$1 per yard; a tin seidlitz-powder box sold for \$25; a mule was priceless, a horse impossible, and a cow or an ox a special providence; whisky \$1 a horn, and small and poor at that; flour was \$36 a barrel, and finally \$50 at Sutter's; mechanics received \$15 and \$20 per day, while men in the diggings made \$200 and \$300 per day. At first all miners were for themselves, or worked as partners or in companies. Pans, rockers, long toms, Indian baskets, tin cups, old hats, and blankets, were used in washing gold. Butcher and pocket knives were serviceable in picking the coarse gold from crevices and pockets. The supply seemed inexhaustible. Frequently bunches of grass were pulled up and shaken into a bucket, and pounds of gold thus obtained. In five weeks, with the aid of two Indians, one man, a few miles

above Sutter's, on the American River, with Indian baskets, worked out \$16,000. Men frequently made \$1,000 per day.

Quicksilver had been discovered before gold in California, so that this important element of mining was at hand. Still it was not used, for many months after gold was discovered, in working the placers. In February, 1848, it was estimated that there were 2,000 Americans in California. In 1850, eighteen months after the discovery of gold, there were more than 100,000. The rush of people westward, caused by this gold excitement, was so great that the center of population of the United States, from 1850 to 1860, traveled eighty-one miles, the greatest movement in any decade by nearly double.

The placer mines becoming less prolific, and not paying large wages to men, gave way to hydraulic mining, which was invented by Edward H. Mattison, a Connecticut Yankee, in 1852. Gold quartz had been discovered, and silver quartz followed. The discovery of gold in California led to the production in that State, between 1848 and June 30, 1882, of a total of \$1,167,000,000 in gold, and of about \$10,000,000 in silver; in all, \$1,177,000,000 of gold and silver. The total production of gold and silver by all of the precious-metal-bearing States and Territories for the period named is estimated to be about \$2,130,000,000 in gold and silver, of which California has produced more than one-half, not counting the production of quicksilver.

Adding to the world's store of money was not the greatest consequence that followed the discovery of gold in California. One-third of the entire area of the United States lying west of the Missouri River was settled through it. Prior to 1848 this region was a trackless wilderness, given to Indians, hunters, trappers, and a few soldiers. It added to national wealth billions of dollars by the settlement of new Territories and States. The emigrants on the plains explored the country they passed through, and gave details of resources and conditions. The pioneers of '49 opened a way across the continent for ox-teams, stages, and finally the railroads. Settlements followed the trail of the emigrants, and permanent homes were made. California illustrates best the American's capacity for organization, for gathering up portions and condensing them into a solid compact whole. She was long the field for adventurers. Colonization was aided by the Mexicans. Wilkes and Fremont had aided settlement by their explorations. Commodore Sloat taking possession of Monterey July

7, 1846, necessitated government. California from this time until December 20, 1849, was governed by a succession of United States military governors, who appointed all officers. Customs dues were collected and paid out for salaries and expenses of administration. They enforced the old Mexican laws. The discovery of gold covered the country with an army of good and bad men. It would be very risky to attempt an estimate of the proportion of either.

During all this time, from the Bear Flag days to the final admission of the State into the Union, we find a steady, determined body of law-abiding men, who suppressed crime and formed a great State. They did these things without the aid of the National Government, for California never had a territorial organic act. Slavery was the bone of contention, and prevented her from receiving the legislation due her. Her people organized a constitutional convention, made a constitution—a clean, dignified, manly one—adopted it, and under it organized a State government, which went into operation December 20, 1849, almost a year before the State was admitted into the Union, September 9, 1850. It was a matter of indifference, so far as law and order were concerned, whether she was admitted or not; her government was complete and effective. Her miners organized a system of regulations, for the acquirement and security of title to mines, unsurpassed, and which remains to-day the basis of all precious metal mining laws in the United States, being especially protected and adopted by the National Congress. Her code was copied *in toto* by Idaho, Nevada and Arizona. Her judicial system and laws influenced Oregon, Washington, Idaho, Utah, Nevada, Arizona, Montana, New Mexico, Colorado, Dakota and Wyoming. Her citizens, following mining excitements, settled almost all the mining States and Territories of the Union, made most of the laws therein, and carried off most of the honors of office. Get in the vicinity of a prospect hole on the bleakest mountain in a mineral belt, and you will either meet a Californian on its edge or down in it. Her mining engineers, among the best in the world, have cracked the nuts that bother and settled problems that bewilder. They can reduce any ores, bridge any stream, or build a railroad to any point possible. The plant for mining and milling built by her mechanical engineers and machinists rank with the best. The most economical labor and metal saving machinery for mining and milling ores have originated, have been invented and constructed, by Californians. The laws and judicial system of no State in the Union have been of more far-reaching influence

or consequence than those of California. Her court decisions are authority in every division of the Union and in every foreign land containing mines.

Her admission into the Union without slavery was a great triumph for freedom, and did much to embitter the South against the North, and aided in bringing on the war for the Union and the destruction of human slavery in the Republic. Her enormous area, dedicated to freedom, to be formed into free States, was a menace to the South. In the war, though far away, she steadfastly stood by the Union, and her sons followed the flag in scores of battles. Still, the Southern element was strong, and was only suppressed by the efforts of brave and earnest Union men. Much of the early animosity toward the builders of the Central Pacific Railroad grew out of the fact that two trans-continental roads were projected—a Northern one, managed by Northern men, now the Central Pacific, and a Southern one, managed by Southern men, which failed. Arizona was annexed to the Southern Confederacy, and it was expected that California would be, but the loyalty of her people was above price and favor, and she steadfastly stood by the Union. When the Rebellion was an assured fact, one of her members of Congress telegraphed in 1861 from Washington, in substance: "The old Union is dissolved: Hurrah for the Pacific Confederacy!" He was never heard of afterwards in the politics of the State.

If all of the citizens of the several States had the same pride in and love for them that the Californians have for her, we would be truly the mightiest nation on the earth. A withered specimen of an old pioneer, as she said, a "sage hen," with upturned nose and pucker of disgust at the suggestion of her intention to remove to New York, whispered in our ear the confidential statement that she "would rather be hung in 'Frisco than die the owner of and in Stewart's house in New York, and with all of his money."

In all affairs of moment, in questions of state-craft or commercial importance, her citizens have acted, if not wisely, with energy, and as though they had the Arabic meaning of the State's name in mind, "Khalafa,"—"To succeed."

Change covers the surface of the land and water—grains of yellow gold have given way to the more constant wealth of grains of golden wheat. The treeless plains are as the gardens of Damascus; the sage-brush and desert lands the Valley of Delight. Bells from village towers, dotted all over the State, cross their music

in the air, while nature laughs in the ripening fields of grain. On many seas her burden-laden ships bow with stately grace in the dancing of the waves. The wild Indian has folded his tepee—civilization having reduced him to a pair of cast-off pants and made him a hunter for the leavings of the white man's table. The miner of romance is no more. The miner with the aid of science remains. The rollicking gambler, quick with pistol or knife, now works under cover of the night. Women, once the rarest of all things, are now the rulers of town and country. Children, once as rare as women, now absorb the time of money-getters, pull beards of gruff men, and gladden a hundred thousand homes. The hunters and trappers, few in number, may still be found way in the northern mountains, and with them the game of the forest and plain. School-houses lift their glorious fronts wherever a dozen children can be gathered. The arts and sciences find liberal patrons and a congenial home. Charity, a result of civilization, finds here her truest devotees. The press, on every hand, nobly does its work. Heat-burned emigrants from across the Isthmus, and the flea and dirt-covered pilgrims from along the Sweet Water and Humboldt, are things of the far past, and are replaced by home-hunters and men of wealth who come by steam and rail. The side-bruised and much-welted "bulls" of the ox-teams of the plains have long since, after being fattened on bunch grass, tickled the palates of Eastern epicures. The bull-whackers who handled the twenty-foot lash of the persuader, and exhorted the animals, have evolved into preachers, doctors, lawyers, and men of affairs; the women into grandmothers, and tow-headed, foot-sore children into pioneers of honored names.

Departing bootless, hungry Argonauts of '49, who didn't cut it fat, are now replaced by incomers who intend to camp on the trail. The nomad that tramped to Fraser and Kern Rivers, whose frying-pan and bacon were always ready for a move, has been replaced by sturdy sons of toil who are "harnessed to the soil." Bacon, self-raising flour, the frying-pan and canned goods, while bad for the individual's stomach, have been among the most useful agents in settling the West.

The grim and grizzled prospector is almost extinct in California. The tales of the winter of '49 and spring of '50 are classics. The prospector was a State's founder. He promptly settled the Indian question wherever he met it. He led the movement that formed civil communities of law and order, and aided in condensing five hun-

dred years of creative history of ordinary times in State craft into thirty in the progressive nineteenth century. He fought a braver fight with pick and shovel than kings with armies, and did more for mankind than scores of generals.

The Quartz King still flourishes, for quartz followed the placers. Holding a minute piece of ore, which assays way into the thousands, he will talk you into an ague or whisper you into a slow fever, as he tells you of the riches of the "Jacket" or "Chariot." He offers you feet or shares—feet before incorporation, shares after. If you buy either, assessments (Irish dividends) will usually follow.

Where once was the jumping-off place of Western America is now the starting point for India, China, Japan, British, Central and South America. Steamships start from a great city for a voyage of 9,000 miles, and at the end of their journey find a great city to receive them, and this in thrice ten years. In 1850 it was estimated that there were 5,000 native-born male citizens above the age of twenty-one years in California. In 1880 there were more than 135,000. She is no more a cosmopolitan State. She is essentially American. Gold, the wizard of the world, the dream of the adventurer, the hope of all, the root of all evil, the deceitful light that has cursed and benefited mankind, hath caused all this.

The era of wild speculation over, she should control the trade of the mining States and Territories. Nature places mines in barren lands. California should be the food-producer for the millions of toiling miners. Connected by steam and the several lines of railroad with the national center, she starts on the high-road to lasting prosperity. Extending through ten degrees of latitude, with more than 600 miles of actual sea-coast, her range of territory and variety of climate are guarantees of her future and her value to the Republic. In six hours crossing the State you come from perpetual snow on the summit of the Sierras to gardens that are ever green; from Siberian temperature to the dreamy air of Valambrosa. In a generation we may expect tea, coffee, indigo and the spices. In time we shall see two, and probably three, States formed from her territory.

In 1880, 800,000 people; at the close of the century, 1,600,000. She will double her population every twenty-five years after 1900; so that, following the arithmetic of the past, she will probably have 25,000,000 of inhabitants in the year A. D. 2000. People now seek homes in even climates, where they don't have to work all summer to live the next winter. The metallic incidents that forced her growth of

population up to the year 1875 have in the main ceased. Still, through new and cheap processes of reduction of ores, millions will be extracted from the now waste and useless low-grade ore dumps and mines.

It can be safely said, having in mind the resources of the several political divisions and the economic requirements of the whole nation, that California is the most valuable State in the Union.

Her wealth will be largely in cereals, the vine, fruit and timber. She will be the home of a people strong on land and mighty on the sea; of society moulded on the best forms, and resting on the only true basis in a republic—the honor of its men and the faithfulness of its women. She shall rear up a people who will worship God by love and duty to their fellow creatures; whose highest ambition shall not alone be the erection of marble halls, decked with gold and silver, devoted to man, invented superstitions, but whose aim in life shall be the true happiness of mankind—the creation of homes for loving hearts, the founding of industries, and the building of schools of art and science, wherein the true and righteous religion shall be taught, that which God loves and mankind requires—duty. She shall be a State wherein morality shall be righteousness, and shall be exalted of men; and where men and women shall stand forth free and unfettered; where right shall be done by all because it is right, and not be done through fear; where men shall proclaim distrust for mere profession, and reward for goodly acts; where all shall see in the nodding pines of the gilded Sierras, shall hear in the unrestrained beat of their free ocean billows, in the songs of birds, in the rush of mountain torrents, and feel in the presence of the golden splendor of their regal sunsets, the one living, loving God. Nor schemes of men, nor cant of creed shall turn them from the true harbor; their compass shall lead them to higher fields of civilization, truer ways of pleasure, loftier ambitions in search of justice, to the end that humanity may find a home where labor and work with head or hands shall be the rule, and where the idler shall be bowstrung by public opinion; where license shall never be known, and all things shall speak, breathe and feel liberty.

San Francisco shall become the Western warehouse of the Republic; her manufactures be sought for, and her craftsmen be an example for their kind; her merchants in probity, enterprise and integrity the envy of their fellows and the pride of their State. The clatter of machinery, the breathing of great engines and the roaring of furnaces, the sign-

manual of prosperity, shall be the guarantee of happy homes, and an element of national strength. The thrift and economy of her people—the best assurances of permanency—shall be the marvel of the times. Enthroned by nature to command the trade of the East, her commercial altitude shall rival the towering peaks of her sunlit mountains. Around the inland sea whose outlet she majestically guards shall be cities, villages and hamlets, bowered amid flowers of rare fragrance, paying tribute to her regal power. All roads lead to Rome; so all paths from the summit of the Rocky Mountains westward to the Pacific lead to San Francisco. Genoa, in her height of power, mistress of the commerce of the Mediterranean, shall be as a passing pageant to this city of the sea, whose children are destined to carry the civilization of the American race through the gates of the Orient, and girdle continents with speech of Saxon note. The historian of the future, glancing back over the State's record, considering her influence, her wealth and resources, and seeing the procession of events that have marked her founding, advance and progress, will say, in the presence of a splendid people and commonwealth, "These marvels hath gold wrought."

THOMAS DONALDSON.

POLITICAL RECOLLECTIONS AND NOTES.

III.

THE approach of another presidential year was thus marked by a steadily growing interest in the question of slavery. The conflict with it seemed far more irrepressible than ever before. The Liberty party had nominated John P. Hale as its candidate for President in 1847. The Whigs of Massachusetts were threatened with an incurable division into "Conscience Whigs" and "Cotton Whigs," growing out of the question of annexation and the government of our new Territories. The same causes were dividing the Democrats of New York, and the feud was seriously aggravated by remembering the defeat of Mr. Van Buren in 1844, for the one sin of opposing the immediate annexation of Texas, while a large majority of the party favored his nomination. The Van Buren element in the Democratic party threatened revolt in other States, while both Whigs and Demo-

crats in the North were committed to the policy of the Wilmot Proviso. This was to be the great question of the ensuing national canvass, and the roused spirit of the people of the free States seemed clearly to foreshadow the triumph of freedom in the organization and government of our Mexican acquisitions.

But the virtue and courage of our politicians were now to be severely tried. The power of party discipline and the tempting bait of the spoils were to be employed as never before in swerving men from their convictions. The South, of course, was a perfect unit, and fully resolved upon the spread of slavery over our Territories. It had always been the absolute master of the Northern Democracy, and had no dream of anything less than the supremacy of its own will. Its favorite candidate was now General Cass, and he was nominated by the Baltimore National Convention on the 22d day of May. It was a fit nomination for the party of slavery. He had been thirsting for it many years, and had earned it by multiplied acts of the most obsequious and crouching servility to his Southern overseers. Again and again he had crawled in the dust at their feet, and if they could not now reward him with the presidency it seemed utterly useless for any Northern man to hope for their favor. The "Nicholson letter" was not all that the South wanted, but it was a very important concession, and with General Cass as its interpreter it meant the nearest thing possible to a complete surrender. In this National Convention the State of New York had two sets of delegates, both of whom were formally admitted, as a compromise; but the members of the Van Buren or Free Soil wing refused to take their seats, and thus held themselves in reserve for such revolutionary work as should afterward seem to them advisable.

The Whig National Convention met in Philadelphia on the 7th of June. The party seemed to be completely demoralized by the defeat of Mr. Clay in the previous canvass, and was now in search of "an available candidate," and inspired by the same miserable policy of expediency which had been so barren of results in 1840. The Northern Whigs appeared to be unanimously and zealously committed to the prohibition of slavery in our Territories, but equally unanimous and zealous in the determination to succeed in the canvass. For more than a year General Taylor had been growing into favor with the party as a candidate, and he had now become decidedly formidable. The spectacle was a melancholy one, since it demonstrated the readiness of this once respectable old party to make com-

plete shipwreck of everything wearing the semblance of principle for the sake of success. General Taylor had never identified himself in any way with the Whig party. He had spent his life as a mere soldier on the frontier, and had never given a vote. He had frankly said he had not made up his mind upon the questions which divided the parties. He not only refused to be the exponent of Whig principles, but accepted the nomination of bodies of men not known as Whigs, who scouted the idea of being bound by the acts of any national convention. He was a very large slave-owner, and thus identified in interest, and presumably in sympathy, with the South. His active supporters were chiefly from the slave-holding States and those free States which had generally given Democratic majorities. The men most violent in their opposition to the Wilmot Proviso were his most conspicuous followers. Of the ninety-four Whig delegates from the free States he received the votes of only four. He was nominated as the candidate of the Whigs who believed in the extension of slavery, by a convention which repeatedly and contemptuously voted down the Wilmot Proviso, already indorsed by all the Whig Legislatures of the free States, while no platform of principles was adopted; and Horace Greeley was thus perfectly justified in branding it as "the slaughter-house of Whig principles." Such an exhibition of shameless political prostitution has rarely been witnessed, and three of the leading Whigs of Massachusetts—Charles Allen, Henry Wilson and Stephen C. Phillips—left the convention in disgust, and severed their connection with the party forever.

In this state of the country and of the old parties a new organization and another nomination became inevitable. The followers of Mr. Van Buren in New York and other States were aching for the opportunity to make themselves felt in avenging the wrong done to their chief in 1844, and were quite ready to strike hands with the members of the Liberty party. The members of that party were generally ready to withdraw their candidate for President and unite with the Anti-Slavery Whigs and Democrats of the Northern States, if an honorable basis of action could be agreed upon. The "Conscience Whigs" of Massachusetts, and thousands of Whigs in other States who regarded the freedom of our Territories as a vital issue, and were thoroughly soured by the nomination of General Taylor, were equally anxious to fuse with the other elements of political discontent, and make their voices heard in a new and independent organization. There was little time for delay, and, as soon as the

troubled political elements would permit, a call was issued for a National Free-Soil Convention at Buffalo, on the 9th of August.

The convention was historic. It marked a new and significant departure in party politics, and was a conspicuous milestone in the anti-slavery journey. It met in a spacious pavilion, and was one of the largest political gatherings ever assembled in the country, and animated by unbounded earnestness and enthusiasm. Its leading spirits were men of character and undisputed ability. The "Barnburners" of New York were largely in attendance, including such veteran leaders as Preston King, Benjamin F. Butler, David Dudley Field, Samuel J. Tilden and James W. Nye. Ohio sent a formidable force, headed by Joshua R. Giddings, Salmon P. Chase and Samuel Lewis. The "Conscience Whigs" of Massachusetts were well represented, with Charles Francis Adams, Stephen C. Phillips and Francis W. Bird in the front. The Liberty party sent its delegates, including such men as the Rev. Joshua Leavitt, Samuel Lewis and Henry B. Stanton. The disappointed Clay Whigs were there, led by such representative men as Joseph L. White, who were eager to lay hold of any weapon by which they could hope to strike down the betrayers of the Whig cause. The "Land Reformers" and "workingmen" of New York were represented, as also the special advocates of "cheap postage for the people," who longed to be rid of the tariff of twenty-five cents on the privilege of sending a single letter through the mails, and whose wishes afterward found expression in the platform.

Could these elements be harmonized? Could the bolters from the Whig party overcome their traditional hatred of Martin Van Buren? If so, could the Liberty party men be prevailed upon to give up their chosen candidate and labor for the election of the "foxy old politician," whose reputation for tricky and ambidextrous political methods had become proverbial? And could the Barnburners, with their large following, be united on the candidate of the Liberty party or some new man? These questions had to be met; but preliminary to the nomination was the construction of a platform. This was accomplished without serious difficulty, and, considering the circumstances of the country, it was perhaps the most admirable declaration of principles ever promulgated by any party. It was chiefly the work of Mr. Chase, assisted by Charles Francis Adams, Benjamin F. Butler and others, and it declared, among its pregnant and telling sentences, that "Congress has no more power to make a slave than to make a king," and that "it is the duty of the Federal Government to relieve

itself from all responsibility for the existence or continuance of slavery wherever that Government possesses authority to legislate, and is thus responsible for its existence." The reading of these declarations called forth thunders of applause, while the last plank in the platform "resolved that we inscribe on our banner free soil, free speech, free labor and free men, and under it we will fight on and fight ever, until a triumphant victory shall reward our exertions."

The nominating convention assembled in the large Universalist Church in Buffalo. Mr. Van Buren was not understood as desiring the nomination, but it was now authoritatively stated that he would accept it if tendered, and that he would, without hesitation or evasion, accept the platform of the convention. The different elements of this movement had been in conference, and the time for action was at hand. In common with my Whig associates, I had all along felt that I could not support Mr. Van Buren under any circumstances; but the pervading tone of earnestness in the convention, and the growing spirit of political fraternity, had modified our views. We saw that several of the great leaders of the Liberty party were quite ready to meet the Barnburners on common ground. It seemed very desirable to combine with so large a body of helpers, and to profit by their experience and training in the school of practical politics. Mr. Van Buren had certainly gone great lengths as the servant of the slave power, but there was *one* great and vital issue to freedom on which he had taken the right side, and maintained it without flinching in the presence of a great temptation; and for this he had been anathematized by the South, and driven into retirement. If nominated by the anti-slavery men of the free States, and squarely committed to their principles, it was altogether improbable, if not morally impossible, that he would again lend himself to the service of slavery. Besides, the whole country had been so demoralized by this evil that it was not easy to find any public man of eminence whose record had been spotless; and it was a part of the work of earnest anti-slavery men to forget party memories and prejudices for the sake of the cause, and to cultivate the virtues of hope and trust, rather than the spirit of doubt and suspicion, in dealing with a man who was now ready to unfurl the flag of freedom, and had been stricken down by its foes. The nomination of Mr. Van Buren would undoubtedly mean the freedom of our Territories and the denationalization of slavery, and this was the great point. In this movement there was no element of compromise. It was wholly unhampered by a Southern

wing; and, even should the nominee betray the men who now trusted him, their choice of him as their standard-bearer would be vindicated by the circumstances of the hour.

Mr. Chase, then in the prime of his manhood, and a splendid figure, was the president of this nominating convention, and its work proceeded. There was a feeling of intense anxiety about the result, and an earnestness and real seriousness which I have never witnessed in any other convention. There were leading Whigs and Liberty party men whose action in respect to Mr. Van Buren was not yet generally known. Several delegates remarked, "I want to know what Samuel Lewis will do before I decide," or "I want to hear from Joshua Leavitt." After the nomination of Mr. Van Buren had been moved, Mr. Leavitt rose from his seat, and all eyes were instantly turned upon him. He was then in middle life, and his tall and erect form and fine physiognomy were singularly striking. He was full of emotion, and seemed at first to lack the power of utterance, while the stillness of death prevailed in the convention. He began by saying: "Mr. Chairman, this is the most solemn experience of my life. I feel as if in the immediate presence of the Divine Spirit." He paused here for a few moments, while there did not seem to be a dry eye in the convention; but he proceeded grandly with his speech, defined his position, and seconded the motion for Van Buren's nomination, upon which the mingled political enthusiasm and religious fervor of the convention broke over all bounds and utterly defied description. Men laughed and cried at the same time, and gave themselves up to the perfect abandon of their feelings. All divisions had completely died away, and the nomination of Mr. Van Buren by acclamation became a matter of course. Charles Francis Adams was then nominated for Vice-President, when the convention adjourned, and its members returned to their homes to prepare for the coming canvass under the banner of "Van Buren and Free Soil—Adams and Liberty."

The new national party was now launched, and the work of this presidential canvass began in earnest. John A. Dix, then one of the United States Senators from New York, was nominated for Governor, with Seth M. Gates, the anti-slavery colleague of Adams and Giddings in Congress, for Lieutenant-Governor. The Free-Soil State Convention of Ohio set the ball in motion in that State, and the new party, by securing the balance of power in the Legislature, was able to place Mr. Chase in the Senate of the United States. Stephen C. Phillips was nominated for Governor in Massachusetts, where the

movement was very formidable, and exceedingly annoying to the "Cotton Whigs." Like conventions were held in Indiana and other free States, organizations effected, and candidates nominated, while the movement extended to the border slave States, in which it afterward did excellent service. The canvass of the Democrats was not remarkably enthusiastic. The division of the party and the probable loss of the State of New York had a very depressing influence. The Whig canvass was perhaps marked by still less earnestness and spirit. It was hollow and false, and the better men in the party felt it. The only enthusiasm of the campaign was in the new party, and it was perfectly spontaneous and fervid. The most remarkable feature of this contest was the bitterness of the Whigs toward the Free-Soilers, and especially toward those who had deserted from the Whig ranks. They seemed to be maddened by the imputation that they were not perfectly sound on the Free-Soil issue. This was particularly true of Mr. Webster, who had been branded by Mr. Adams as a "traitor to freedom" as far back as the year 1843, and who afterward justified these strong words in his famous "Seventh of March Speech." In the Whig State Convention of Massachusetts, held at Springfield, in 1847, Mr. Webster, speaking of the Wilmot Proviso, had said, "Did I not commit myself to that in the year 1838, fully, entirely? I do not consent that more recent discoverers shall take out a patent for the discovery. Allow me to say, sir, it is not their thunder." He then claimed Free-Soil as a distinctive Whig doctrine, and in a speech at Abingdon he now said, "The gentlemen who have joined this new party from among the Whigs pretend that they are greater lovers of liberty and greater haters of slavery than those they leave behind them. I do not admit it. I do not admit any such thing. I think we are as good Free-Soil men as they are." The same ground was urged by Washington Hunt, James Brooks, and other leading Whigs; and Mr. Greeley declares that "at no time previously had Whig inculcations throughout the free States been so decidedly and strongly hostile to the extension of slavery, and so determined in requiring its inhibition by Congress, as during the canvass of 1848." These statements appear very remarkable when it is remembered that the Whig nominee was a Louisiana planter, and the owner of three hundred negroes, and that he was nominated at the bidding of the slaveholding wing of the party, and by a convention which not only contemptuously voted down the Wilmot Proviso, but treated its advocates as "fanatics." But even Governor Seward strangely clung to the old

party after the death and burial of its conscience, and seriously brought his personal integrity into question by urging the support of General Taylor upon those who favored the abolition of slavery. In a speech at Cleveland, Ohio, in October of that year, he said "freedom insists on the emancipation and development of labor; slavery demands a soil moistened with tears and blood—freedom a soil that exults under the elastic tread of man in his native majesty. These elements divide and classify the American people into two parties," and he proceeded to argue as if the Whigs and Democrats were thus divided, when he knew that both were in the absolute control of the slave power.

The Free-Soilers, of course, did not particularly relish these moral lectures on slavery by men who had sold their principles at public auction for the chance of office and plunder through the elevation of a mere military chieftain to the presidency. But the Whigs were not content with claiming the complete monopoly of anti-slavery virtue, and parading it before the country. They became abusive and insulting to the full measure of their insincerity. Their talk about "renegades" and "apostates" anticipated the abuse heaped upon the Greeley men in 1872, when the Republican party had so completely triumphed over the integrity of its earlier life. The course of the Whigs in Indiana supplies a striking illustration. After the presidential election of 1844 I resolved that I would never vote for another slaveholder, and the course of events and my own reflections had constantly strengthened this purpose. My position was well known to my Whig brethren; but as soon as General Taylor was nominated the policy of brow-beating and threats was invoked. I had no taste for politics, and had determined to devote myself entirely to my profession. I was anxious to avoid any strife with the Whigs, who were overwhelmingly in the ascendant in eastern Indiana, and in whose ranks were most of my clients and best friends. But the party leaders talked to me in the imperative mood. They seemed determined to play the slave-driver, and to coerce me into submission by the supposed extremity of my situation, and I was obliged to offer them open defiance. I was made an Elector for Van Buren and Adams in the Fourth Indiana District, and entered the contest with a will; and from that time forth I was subjected to a torrent of billingsgate which rivaled the fish market. Words were neither minced nor mollified, but made the vehicles of political wrath and the explosives of personal malice. I was threatened with mob violence by my own

neighbors, and treated as if slavery had been an established institution of the State, with its machinery of overseers and background of "white trash"; while these same men, as if utterly unconscious of the irony of their professions, uniformly resolved in their conventions that "the Whig party is the only true Free-Soil party."

I was not, of course, a non-resistant in this canvass, and for two months I journeyed over the district on horseback, frequently speaking three times a day, and generally from two to three hours at each meeting. I spoke at cross-roads, in barns, in pork-houses, in saw mills, in any place in which a few or many people would hear me. I was so perfectly swallowed up in my work, and dominated by the absolute singleness of my purpose, that I took no thought of anything else; and, with the truth on my side, I found myself perfectly able, single-handed and alone, to fight the battle against the advantage of superior talent and the trained leadership of men of established reputation on the stump. But the fight, as I have said, was unspeakably relentless, vitriolic and exhausting, and nothing could redeem it but an overmastering sense of duty and self-respect. The worst passions of humanity were set on fire among the Whigs by this provoking insurrection against their party as the mere tool of slavery, while animosities were engendered that still survive, and which many men have carried to their graves. This is only a single illustration of the spirit of the canvass, for similar conflicts marked the struggle in Ohio, Massachusetts and other States, and they were made inevitable by the desperation of a party already dead in its trespasses, and which deserved a funeral instead of a triumph.

The results of this contest were most remarkable. General Taylor was elected, but his triumph was the death of the Whig party. The long-coveted prize of the presidency was snatched from General Cass, and the Democratic party divided and humiliated by its struggle to serve two masters, while the friends of Mr. Van Buren had their longed-for revenge. The Free-Soil ticket received a little less than three hundred thousand votes, and failed to carry the electoral vote of a single State, but the effect of the movement was inestimably important. It seated Chase in the United States Senate from Ohio, and sent to the lower branch of Congress a sufficient number of anti-slavery men from different States to hold the balance of power in that body. It was very savingly felt in Congress in July of this year, on the vote by which Oregon, with a territory nearly equal to that of the thirteen original States, narrowly escaped the damnation of slavery.

It emphasized the demand of the million for "cheap postage" and the freedom of the public domain, and thus helped stereotype these great measures into law; and it played its part in creating the public opinion which compelled the admission of California as a free State. These were great achievements, but they were mere preliminaries to the magnificent and far-reaching work of succeeding years, of which the revolt of 1848 was the promise and pledge.

GEORGE W. JULIAN.

THE SPIRIT OF THE INDEPENDENT MOVEMENT.

SINCE the last presidential election the Independent movement has become an important factor in the elections of the people. In New York and Pennsylvania it has reached its most advanced development and recruited its largest numbers. In those States it rebels against the methods and system of party organization, questions the representative character of party assemblies, asserts the personal manhood and independence of the citizen, and holds up the "boss" and the "machine" to the virtuous contempt of the people. In Georgia and Maryland the same feeling has taken possession of the public mind, and the mechanism of party organization is submitted to an additional strain at each recurring election; while in Tennessee, Virginia and North Carolina the masses of both parties, forgetful of their former political relations, find graver interests at stake in the adjustment of State and local concerns.

Measured by its professed principles, the vitality of the new national organization would be a surprising feature of our politics since the disappearance of the currency issue; but, like the elements of other parties, its voters have little confidence in platforms, while recognizing the fact that the organization affords the ready means of severing their connection with the agencies and elements controlling present political parties and expressing their demand for a change of political issues. Capable of polling 1,000,000 votes in 1878, forgotten for a time amid the excitement of a presidential election while polling 300,000 votes for its candidate, it has proven its ability at the most recent election to nearly double that number.

In nearly every Southern State one of the leading parties has refused to contest under its party name, and consented to the dispersion of its adherents. Acting in conjunction with the independent elements, it has overwhelmed a competitor whose victories have been unceasing for a century. In Massachusetts, Illinois and Maine, independent influences have forced the Democratic party to abandon its battle-cries and to unite with their organization, leaving the Greenback element proper in a meagre minority. Including the Anti-Monopolists, the Workingmen, the Tammany element, the Independent Republicans and Independent Democrats, the total voting strength of those who have shown their willingness to disregard their allegiance to the national parties cannot be less than 3,000,000 of the 9,000,000 of voters who participated in the last presidential election.

It may be significant that, out of a voting population of 11,000,000, only about 9,000,000 cared to express their preferences as between the presidential candidates in 1880; and in the Southern States one of every three voters refused to attend the election. The influence of methods of intimidation by one party as against the other fails to afford an adequate explanation, since the loss upon each side is nearly equal in ratio, indicating a lack of interest inconsistent with the idea of a passionate and excited campaign. Notwithstanding an increase of voting strength of more than 30 per cent., the vote given for Hancock was actually less than that received by Tilden. The more natural theory would attribute the loss to the growth of an independent sentiment, which, recognizing the necessity of new issues, refused to participate in an election to decide between ideas that had ceased in a large degree to be a matter of public contention. A vote for Weaver could have been given, but the protest which it implied would have been misleading, and the vast majority seem to have preferred the wiser alternative of remaining at home. And a further cause of this inert condition in the section of the Union referred to may be discovered in the consciousness of voters that an election upon the issues involved could have but one result, and having lost its vital characteristic by the large preponderance of one party over the other, they refused to participate at a mere ratification of the action of the primary assemblies of the leading party, or to lend their presence to grace the triumph of a faction.

However radical may be the differences as to methods, the elements striving for a hearing in the forum of State and National politics have many purposes in common. They agree that the influence and func-

tions of the masses should be enlarged, that the power of special classes should be diminished, and that public officials should bestow more attention upon the performance of their official duties and less upon the management of the machinery of political parties; and, to attain these ends, all seek the interference and assistance of the Government. The advocates of paper money invoke it to assume the control of the issues of currency; the civil service reformer to establish rules governing appointments and removal of officers; the Anti-Monopolists seek its intervention for the regulation of corporations, and the workingmen are appealing for legislation for the special advantage of their class. All are united in the assertion that a government based upon the franchise of its citizens, after an experiment of a hundred years, has failed to give a due and equal representation to the respective classes composing it. And perhaps the most anomalous feature is disclosed in the position of the Democratic party, which still assumes to contend that such a government, operated by the action of the mass of voters, is not to be trusted with the management of public concerns beyond a certain restricted sphere. Where others would invoke its aid, this theory challenges the right and questions the value of its intervention, asserting that the restrictions of government upon trade, currency and individual privileges are a source of embarrassment to the interests they are designed to advance, and contends that the highest advantage to all interests will flow from that social condition which permits the unobstructed competition and operation of the forces of nature. In a free government, founded upon the popular will, it invokes with vehemence the same principle to restrict its authority which for past ages has challenged the power of despotisms. Both theories seem to agree in the view that up to this period, whatever may be its nominal form, ours has not proven to be "a government of the people and for the people."

To a choice between these theories every voter is limited. They describe the political relation of every citizen in the Union. No party or combination of voters has ever existed which did not disclose a tendency either to invoke the power or challenge the interference of Government, and the difference of views of the supporters of either is one of degree. The votes given to third parties or political forces indicate the intensity and uncompromising nature of the demand for or against the interference of the Government, since they cannot question the comprehensive nature of the principle. The machinery of organization failing to voice the sentiments of all its supporters, they

separate themselves from an element battling for the same end, and weaken the force in the face of a common enemy in order to give more emphasis to the common declaration. Acting within his party under a representative system for the selection of its candidates and the choice of issues which it may present, every voter is clothed with all the power that representative government can bestow upon him. If the government is not representative in all the parts of the machinery through which the public will is impressed upon it, as the fundamental doctrine of Democracy assumes and the demands of other elements agitating for change confess, it would seem that the first interest and the first inquiry of those who fail to find in the organization or machinery of parties, representing one or the other side of the line of distinction between the opposing theories, should be addressed to the problem of improving its mechanism in order that it may perfectly reflect the popular will. Third national parties, representing the smallest contingent of voters, are never able to elect the candidate they present, and each voter, to impress his will upon the government at any election, is necessarily limited to a choice between two candidates, representing two parties, one of which will certainly be the victor, each speaking for one of the two tendencies to which the mind of every citizen and the policy of every government is restricted; and the solution of the problem is to be found in perfecting the instrumentalities through which is insured the expression of the will of the masses employing parties as a means of combining elements constituting a majority. The limitation to two candidates, if compelled by the law, would force a choice by a majority which it is the object of parties to secure, and would create a necessity for perfectly representative machinery for the nomination of those candidates by the popular will, since under a limitation by law to two candidates chosen by the present caucus agencies the government would lose its popular and orderly form. Limited in the power to elect only one of the two candidates nominated by the leading parties through agencies having the force of legal authority, the occasion for perfect methods is equally imperative. When attained by investing the masses with full power over the selection of candidates and issues at a fair preliminary election, the limitation to two candidates would work no hardship, while it would insure a government by the will of a representative majority, and would correct the condition in which the will of a small faction becomes the will of a party, and the divisions of the people at elections force the choice of a plurality candidate, who, if the limitation had

existed, would in most instances have been defeated by the voice of a majority.

Under such a system of elections, the advocates of the two opposing theories of government, each selecting its candidate by the free action of the masses composing its adherents, there would be no occasion for third parties. With every motive to remain in association with the party from whose supporters they must look for companionship in the advocacy of a reform, under the present system they are compelled to weaken its power and destroy its hopes as one of the contesting forces before its adherents can be relieved of allegiance to it, and are ready for the reception of doctrines giving higher hopes of future success than those upon which they had suffered defeat. Men of views common in substance and differing in degree, instead of settling their differences within the common fold, find that the rule of progression requires, under present instrumentalities, that they should defeat the party with which they have acted, arouse animosities resulting from divisions which permit of the temporary success of the common enemy, and then heal the wounds and again march forth for the attainment of a common purpose.

The severance of the bonds connecting 3,000,000 of voters with political parties, and their disinclination to form new associations, is an event of importance in our national history. It suggests a condition of anarchy in the political world which forebodes great changes in the future, and as it dooms the systems of the past it heralds the approach of new measures for the expression of the popular will and a new era in the life of our people. The disruptions of parties has awakened the contentions of factions. In the two greatest States of the Union each of the leading parties is divided into opposing elements, and in the metropolis five distinct organizations assume to represent the Democracy, and at every election for the past six years in these States at least four lists of candidates have sought the suffrages of voters. It may be a fact worthy of note, which typifies a condition also experienced in other States, that at no election since 1876 in the States mentioned has any candidate for a State office been chosen by a majority of his fellow-citizens who attended the election. The tendency of public sentiment, unduly restrained by the methods of the caucus, is towards more frequent divisions, to a choice by smaller pluralities at elections, and it may soon reach a point where the voluntary action of individual voters shall decide the issues and select the candidates at the election rather than through the machinery of parties. But it may be hoped that the

combination of interests and elements, essential to the legitimate expression of the popular will through the voice of a majority or a large plurality, which no longer rallies at the call of present instrumentalities, may by legislation be enforced upon a basis preserving the free option and independence of every citizen. Without a reconstruction of the election system it is difficult to conceive of a reorganization of parties or a readjustment of issues which will materially vary present conditions, since the purposes of new parties become more vague and general as they increase in strength and incorporate new elements, and their organization, unworthy of serious attention in the day of its weakness, becomes the prey of the influences which control the machinery of existing parties when they put on the habiliments of strength, and that control will keep alive the antagonism until a change of the political system as regards elections shall result. The history of all parties which have preserved the present methods of representing their members have afforded illustrations of this truth, and the past five years have furnished more than one example of elements securing a partial success, only to discover that their organization has been seized upon by those whom it was established to overthrow.

The statesmen of the country have repeatedly censured the machinery of selection employed by political parties, and have charged that it has excluded many of the highest integrity from honorable competition for office, from the lowest to the presidency. Mr. Calhoun, in declining to permit his name to go before the Democratic Convention in 1844, speaking of this machinery, declared "it was impossible to form a scheme more perfectly calculated to annihilate the control of the people over the presidential election, and vest it in those who live or expect to live on the Government." We quote further from this statesman:

The delegates to the Convention will be appointed from some of the States, not by the people in districts, but by the State Conventions *en masse*, composed of delegates appointed in all cases by county or district conventions, and in some cases those again composed of delegates appointed by still smaller divisions or a few interested individuals. Instead then of being directly or fresh from the people, the delegates to the Baltimore Convention will be the delegates of delegates, and, of course, removed in all cases at least three, if not four, degrees from the people. At each successive remove, the voice of the people will become less full and distinct, until at last it will be so faint and imperfect as not to be audible. Such conventions are far more liable to be acted upon and influenced by the patronage of the Government than the Congressional caucus, and are a hundred times more objectionable in every point of view.

The first direct step toward the application of a remedy which would permit of a full participation of the people, as in the nominat-

ing instrumentalities of parties, was made by the convention of Anti-Monopolists two years ago, who inserted in their platform a demand "for amendments to the election laws which would better secure to the people the power to select candidates for office," and this was followed up by a provision in the platform, in the spring of 1882, asserting the need of legislation to clothe the people with "full power over the nomination of candidates at primary elections." At the same time the Pennsylvania Independents presented two propositions as the basis upon which their campaign was to be contested, one demanding a reform of the civil service, and the other a larger share of influence to the people over the nomination of candidates for office. Aside from the attempted reorganizations of party machinery undertaken in various localities, and an occasional notice given to the reform by the National party, it has made no affirmative progress, while evidences exist to show that it is the inspiration of the deep antagonism manifested by the people in all sections of the Union which has assumed the shape of resistance to "bossism" and the "machine." No method of reform which was accepted as practicable by the press and the public received attention prior to the introduction of the primary reform bills by Mr. Erastus Brooks in the New York Legislature in 1881, which occurred almost at the moment the movement began to assume a definite form. The effort of the "machine" element to prevent the discussion of the bills in 1881 and prior to that time was successful, but at the last session they were reported for consideration, and, after full discussion in the recesses of the Committee of the Whole, where the vote could be taken in secret, were defeated. The Legislature, however, passed two bills less radical and efficient in their provisions, and these are now the law of the State. In addition to the measure introduced by Mr. Brooks, one containing substantially the same provisions was presented at the same session by Mr. Hickman, one of the Independent Republican leaders of the Assembly.

The bills provide for a preliminary election for the nomination of candidates, presided over by the legal canvassing officers of the State. At this election the ballots used, in addition to the usual indorsements, contain an indorsement of the name of the party to which the voter casting it belongs. In canvassing, the ballots of each party are sorted and separately counted, and in this manner the sense of each party is ascertained with reference to its candidates. The person having the highest number of votes given by the members of his party is then

declared legally nominated by that party. The only imperfection of the system consists in not restricting the second election to two candidates, which would apply to the Government the majority rule, but the requirements of the State Constitution prevented, while full opportunity has not yet been given to convince the public of the fact that no occasion exists for more than two parties when their doors are opened to admit through them of the fullest opportunity for discussion of every shade of opinion, and the selection of candidates by popular vote given by the supporters of each.

In advocating the adoption of this system, Messrs. Brooks, Hickman and Chapin—the last-mentioned gentleman being the main advocate of the bill which was successful—the three composing a committee to whom the subject was referred, urged that the proposed law secured and compelled reformation at both the primary and general elections; that men would act under the law as they would in their business relations; that one less day for the registry of voters would almost save the expense incurred in holding the preliminary election; and, in the course of a long report, commented upon the proposed reform as follows:

The remedy for the evil is in the submission of the action of the elements controlling conventions, in common with those representing every other shade of popular interest, to the united and combined action of the masses of men of all parties, leaving to them the final decision and affording to them full protection during its exercise. The failure of the people to participate in the present preliminary proceedings aiming at the selection of candidates is due to the existence of restrictions imposed by the agencies which control them, and to the distance between the voter and the candidate, and the proper remedy must provide for the direct action of the voter upon the candidate and the removal of all obstructions to the exercise of the popular right in the selection of the candidate. It is far better that the final election should be made by politicians through committees, caucuses and conventions than that these instrumentalities should be vested with the control over the selection of candidates. Better permit the people to have a free control over the selection of two or more men to be invested with the authority of government than to permit that element to control the selection and limit the authority of the people to a choice between the names presented by these agencies.

The new system will represent men, principles and parties. The new law will place in power representative men and action. At the present time citizens of all parties, recognizing their practical exclusion from the caucus, will not accept the nominations made by the agencies which prevail in the caucus. Recent events show a widely prevailing rebellion against these agencies. Practically no regard is paid to them, and the people have expressed their demand on every occasion for some means by which they may be insured a fair expression of their views without being compelled to submit to the dictates of combinations, cliques and bosses, or to be dictated to by office-holders or seekers of office. The present primary and caucus is doomed by public opinion, and partially by public action.

To the evils of the present system the public press are constantly pointing. The smallness of the numbers in conventions as compared

with their immense power, the irresponsibility of their structure and action, the imperative nature of their influence upon the Electors of President, and through them over the people at large, are constant themes of discussion, and attention is repeatedly called to the fact that delegations of great States are chosen in custom houses by dependents of Senators and Representatives; that the people have abandoned the primary assemblies, and to the impossibility of purifying the civil service and restraining the growing influence of monopolies without diminishing the influence of these assemblies, controlled by the agencies against which the public complaint is lodged, by divesting them of mandatory, and permitting by them of the exercise only of an advisory power.

Commenting upon the proposed change, and speaking with reference to the Brooks' bills, the *New York Times*, which is perhaps the recognized representative of conservative opinion in this country, uses the following language :

This reform would be the doom of bosses, especially of that small breed who arrogate to themselves the distribution of nominations and make public officers the creatures of their will. It would furnish encouragement to honorable political ambition among the people, and an incentive to honest and independent action in public life. It would make legislators and public officials of every grade feel their responsibility to the people and their dependence on public confidence, and would purge our politics of much of the corruption that springs from the selfish scheming of managers who so largely control the action of caucuses. It is a reform decidedly in the interest of the people of all parties, and there is no reason why it should not be favored by that respectable class of politicians who now owe their position to public esteem and confidence, and would gain rather than lose by a more direct dependence on popular support.

Since the above was written, the conventions of the two leading parties have been held in New York State. The incidents connected with the canvass for the nominations for Governor were calculated to arouse interest in the question of election reform. The fourth resolution of the Republican Convention demands :

That stringent legislation should be enacted to secure the purity and honesty of primary elections, and that all possible safeguards should be thrown about these sources of the political action of the people.

The ninth resolution in the Democratic platform, though less emphatic, indicates marked progress. It is as follows :

Primary elections, openly and honestly conducted, afford the surest means of securing the most suitable candidates for public office, thus preserving a democratic form of government. We therefore favor the speedy passage of general laws providing against fraud and intimidation at such elections.

In this convention a separate resolution was passed, on motion of Mr. Brooks, that the Chapin law should be made general in the State.

But the most significant utterance comes from the lips of the Democratic candidate for Governor, who, in speaking to the citizens of his city, familiar with the far-reaching relations of the issue, employed the following language :

You are here to support a cause—a great cause, and while you may fully appreciate that a fellow-citizen of yours is to bear aloft the banner of the Democracy in this campaign, you are to remember that he is a standard-bearer in a cause that is dear to the people, and in which all their interests are involved. You are to support it because you struggle for a principle—a holy principle, a principle the ascendancy of which will bring happiness, peace and prosperity to the people.

DUNCAN C. McMILLAN.

AMERICAN PARTY ISSUES, OLD AND NEW.

WE have often heard it said of late that there is no principle at issue between our national parties. The Republican party, it seems, has done its work. Slavery is dead ; States-rights have taken their proper subordinate place ; rebellion has been forgotten in reconstruction, and reconstruction is now a thing of the past. The Constitution has at last established its right to preserve itself. There is nothing left, therefore, for Republicans to accomplish, and the Government must again gravitate into Democratic hands. The conclusion follows plausibly from the premises. If the dominant party has completed its task, the Democrats must once more gain the controlling power, and hold it until some new issue is forced upon the nation. We need not go out of the history of the United States to prove this. Let us glance at the record of American factions.

There were no general parties in this country before the question of resisting Lord North's Government began to be discussed, and even at that time we had only the names of parties, and not the reality. Then it was that we assumed English party names. Our Tories favored submission to the Tory Ministry. Our Whigs offered a resistance which proved more effective than the Opposition in Parliament, composed of their Whig prototypes. The Tories, however, made no national figure in our politics, for they naturally had no part in the Continental Congress, and at the end of the war their estates were confiscated and their voices effectually silenced. At this time, the

Colonies were united under the Articles of Confederation, which they had adopted during the war. Under this system, Congress nominally possessed the most extended powers, but it did not have the means of carrying them out. It had the sole right to make war, but it could only call upon the States for soldiers. The Federal Government alone could make treaties, but it could not compel the States to abide by them. It could borrow money on the credit of the United States, but it could not levy a tax in support of that credit. It was obliged to beg from the States, and the States flatly refused to comply with its requests. Foreign nations would not treat with a Government which could not guarantee the performance of the simplest obligation. Money could not be obtained on the faith of a mendicant treasury. Washington said in 1785: "The Confederation appears to me to be little more than a shadow without the substance." A change was necessary, and the great Constitutional Convention submitted the Constitution to the people. At once our first national parties sprang into being. The Federalists supported the Constitution. It would give the country a Government with real powers. It would win for the people respect abroad and prosperity at home. The Anti-Federalists opposed the measure. Why, said they, should we, after throwing off a foreign tyranny, make a domestic yoke for ourselves? The Constitution triumphed and went into operation. Fortunately, at first it was under the guidance of a friend. President Washington succeeded in moderating party opposition until the new system had vindicated itself.

The Anti-Federalists accepted the changed state of affairs, but they soon flocked to another standard. They could no longer attack the existence of the Constitution—perhaps they did not wish to—but they could at least resist every attempt to strengthen it. Language is imperfect, and the Constitution, like every other instrument, might be construed freely or strictly; the power of the central government might thus be enlarged or restrained. The Anti-Federalists were naturally predisposed to support a narrow construction of the fundamental law. The Federalists, on the other hand, wished to adopt a broad construction; they sought the spirit of the Constitution behind its letter. These principles were soon brought to the test in Congress. Hamilton, the leader of the Federalists, who was Secretary of the Treasury, proposed that the General Government should assume the debts which the war had brought upon the States. He also advised the establishment of a national bank. Both of these measures

were attacked as unconstitutional by the Anti-Federalists and others who had joined their ranks. They thought that the General Government would become too powerful. They formed a party organization. Jefferson gave it the name of "Democratic-Republican," which has now been abbreviated into "Democratic." He had been Minister to France at the outbreak of the French revolution, and he appropriated the title of the French popular party. Hamilton, indeed, succeeded in carrying his points, but he had waked a formidable opposition, which soon gained the mastery. In the year 1798, war with France was imminent, and the Federalists passed the famous Alien and Sedition Acts. The former gave the President power to order out of the United States such aliens as he might deem dangerous to the peace of the country; the latter, among other things, made it a crime to attempt to procure an insurrection, to publish libels against the President or Congress with intent to bring them into contempt, or to stir up sedition. These statutes were very unpopular, and the Democrats immediately assailed them as unconstitutional. The Government unwisely persisted in putting them into practice, although there was no necessity for it. The result was that in the year 1800 the Democrats elected Jefferson President. The Federalists had finished their work. They had given the Constitution to the people, and had kept it for twelve years in successful operation. They held together as a minority for some time, but their opposition to the war of 1812 made them odious. At last, in their convention at Hartford, they were said to have advocated the secession of the New England States. This imputation sealed their fate. At the close of that war the Federal party ceased to exist.

It was not long before a new faction began to appear in the Democratic ranks. This was Clay's party, and it finally took the title of "Whig." The Whigs inherited the general policy of the Federalists. They desired a stronger national government. They favored a vigorous foreign policy on behalf of the South American republics, which were then fighting for freedom. By a "vigorous foreign policy," however, they meant a policy which should protect those weaker democracies, and not one which would prey upon their feebleness. They also advocated internal improvements; they wished the Government to lay out roads, construct canals, improve rivers and harbors. Furthermore, they supported the National Bank. The Democratic party opposed all these measures. It maintained that internal improvements and banking were beyond the scope of national authority.

The Whigs succeeded in establishing the right of making internal improvements, but President Jackson gave the National Bank its death blow.

A new issue gradually made its appearance during this period, with which the Whig party was not able to deal. The Western Territories were growing rapidly in population, and one by one sought admission to the Union. As each new State was admitted, the question arose whether Congress should permit slavery to exist there or not. This involved the constitutional right of the National Government to prohibit slavery in States. It also indirectly involved another question of constitutional power, for the Southern States openly discussed the so-called right of secession, threatened to exert it in case their wishes were disregarded, and denied that the Constitution gave Congress any power to prevent the adoption of such a course. The Southerners who took this ground were the leaders of the Democracy. The Whigs were not, as a body, opposed to slavery. They disapproved of secession in the abstract, but many of them were slaveholders, and their interests were sure to be paramount. In the Whig National Convention of 1848, General Taylor, of Louisiana, a slaveholder, was nominated for President, and yet the party did not indorse slavery. The pro-slavery Whigs became Democrats, because their own party would not declare for slavery. The anti-slavery Democrats left the Democratic party, but they refused to join the Whigs, who at least winked at slavery. The Whig party thus lost many adherents and gained none. Taylor was elected by Democrats who would not vote for their own candidate—Lewis Cass, of Michigan—because he was not a Southerner or a slaveholder. The Whig success was an empty one, and the party dwindled away. At this juncture a bill was offered in Congress to admit Kansas and Nebraska as States into the Union, and to allow them to adopt slavery if they desired. This action violated the celebrated Missouri Compromise, by which it had been settled that slavery should never exist north of a continuation of Mason and Dixon's line, but those who supported the bill claimed that the compromise was not binding, as the Government had no right under the Constitution to prohibit slavery. The Southern Whigs sustained this bill, thus showing their virtual union with the Democratic party, although for some time afterwards they still retained their old name. The Northern Whigs in disgust abandoned their party title, and were called Anti-Nebraska men. The bill passed, but it had given form to the germ of the great Republican party. In 1856 the Anti-Nebraska

men became known as Republicans. It is not necessary to rehearse the record of this party. It has put an end to the doctrine of secession, and has practically established the power of the General Government to treat secession as rebellion. It has overthrown slavery, and made it the duty of the National Government to prohibit it in future. It has raised the colored race to the dignity of citizenship, and brought back the seceding States to their former rights as co-ordinate parts of the Union. It has abolished federal ideas and substituted national ideas for them. We must regret that the word "federal" survives. It has finally settled the right of national banking. It has marked out the status of the Constitution as the supreme law of the land, and it has made "States' rights" conform to that law.

This historical survey gives us a bird's-eye view of American parties. The Democratic party prides itself upon its age. It owes that distinction to the fact that it is conservative. In using the word "conservative" we must not confound English politics with ours. The function of the English Conservative party is now, as it was when it bore the name of Tory, to prevent change in the English Constitution, to *conserve* the remaining prerogatives of the crown, privileges of the church, and rights of the nobility and upper classes. Our Conservatives, on the other hand—call them Anti-Federalists or Democrats—have always made it their business to preserve the existing authority of the States. The object in the past to which they cling is the confederation, and their aim is to hinder us from increasing the difference between our system and that of the articles. The English Conservatives look back in the same way to absolute monarchy, and oppose every advance which leaves that base further behind them. This name, in short, is applicable to that English party which has always favored the strongest National Government and to that American party which has ever advocated the weakest. A Conservative party is necessarily more permanent than any other. Its policy is to resist, that of other parties to attack. Different bands at various times assail different points. Some of those who join in one assault may disapprove of the next. This party to-day thinks one spot vulnerable; that party to-morrow makes preparation against another. Meanwhile the enemy defends himself at all points. It is natural, therefore, that those parties which seek for change, for progress, for reform, whether good or bad, and which must therefore attack, should be frequently metamorphosed, while a party whose sole object is to resist every alteration retains its identity. In the interim between the

attacks of progressive parties, the Conservative party—the party of defense—must recover the ascendancy. Our history shows this fact. Three parties of attack—Federalist, Whig and Republican—have sprung up in turn. Each has done much to extend the power of the General Government and to enlarge the construction of the Constitution, but each had its own peculiar task. The Democratic party offered resistance alike to all. The coach has changed horses at every stage, but it still has the same brake. Each relay has its especial duty, and drags its burden over its own part of the road, but the brake has always the same work to perform. In the meantime the Democratic party has been thrice defeated, and has twice gained power by accepting the results of defeat. On each occasion it has been obliged to change its position. Federalists forced Anti-Federalists to receive the Constitution; Whigs made Democrats acknowledge that it was constitutional for the National Government to undertake internal improvement; Republicans compelled them to renounce the rights of nullification and secession. A Democrat of eighty years ago would have little respect for the position of his party at present. The Democratic party of that time would now be out of date. A party which should to-day deny the constitutionality of internal improvements and national banking, and assert the supremacy of “States’ rights,” would present a pitiful appearance. The Democratic party has some reason to be proud of its age, but it has much more to be proud of its improvement. That the general tendency of the Democratic party and of its adversaries has at times wavered, cannot be denied. Jefferson’s embargo and purchase of Louisiana and Madison’s war measures were founded on a broad construction of the Constitution. The Democratic party changed its views of the powers of the General Government when that Government came into its possession. On the other side, the Federalist Governors of Massachusetts and Connecticut denied the right of the President to order their militia to leave those States; nullification became a Federalist doctrine in New England, and even the right of secession was discussed there. The reason of this was that the embargo and the war of 1812 had a distressing effect upon commerce in the Eastern States. These are deviations from a general rule. They go to show that human nature is much the same in Boston and in Charleston, and do not disprove the statement that the Democratic party is the conservative, strict-construction party, and that its opponents have generally held the opposite tenets.

Our research and reasoning lead us to admit that if the Republican

party has completed its work the Democrats must come into power again, unless some new issue appears. In regaining power under such circumstance, the Democratic party would follow the natural course of conservative parties, and would repeat the history of the fall of the Federalists and Whigs. A new issue, however, might form a new dominant party, or give new life to the Republican body. We do not propose to consider here whether the great task of the Republicans is indeed finished. We are inclined to think that there is much left for it to do. The negro still needs protection and education. The ballot-box is not yet purified. Nevertheless, these are mere questions of time, and it is not too early to speculate as to the more remote future of our parties. What issue, if any, will keep the Government from the Democrats or wrest it from them after they have secured it? If our past history is a safe guide we must believe that the new issue will again concern the construction of the Constitution. Some party will assert some new rights of the National Government, and the Democrats will have another opportunity for resistance. It is absurd to suppose that constitutional questions will be set at rest before centuries have elapsed. No sooner is one settled than another appears. The Mormon question turns upon the rights of Congress in the Territories. The Chinese question may involve the same point. Our isolated position has made our foreign policy comparatively simple, but the discussions which have been evoked by the Isthmus Canal project and the South American war are but the forerunners of disputes, involving the powers of the National Government, which must follow rapidly upon each other when this hemisphere is as thickly populated as the other. A great war with a foreign power would at once produce party divisions on constitutional questions.

With such a record and with such prospects, it would seem highly improbable that any issue except a constitutional one will form the basis of any great American party. In England parties are divided to-day upon the same kind of questions upon which they were separated two hundred and fifty years ago. The conflict was first between the King and the House of Commons; then followed a contest between an aristocratic Parliament and the people, but the subject of division—viz., the rights of subjects—was always the same. No other issue has ever supplanted this fundamental ground of difference in England. Is there any probability that our American party question—viz., that of constitutional construction—will prove less tenacious of life? We are told that free trade must afford a ground

for a new division. We think not. Such questions, important as they are, do not form the basis of lasting party organizations. The disputes with regard to the rights of the people or the powers of the National Government may live indefinitely, because they do not admit of definite settlement. Free trade, on the contrary, must eventually conquer, as it did in England, and then it will leave no analogous questions to succeed it. England has passed through all the stages of free-trade agitation, and existing parties were not undermined there by it. Free trade was adopted by means of the old party machinery. The people expected that the Liberal party would overturn protection—if, indeed, protection was to be overturned—but, strange to say, it was Sir Robert Peel and his Conservative ministry who at last established free trade. In America, too, free trade must be adopted by the assistance of a preëxisting political party.

It does not appear altogether foolish to push the analogy between England and America still further. In England free trade came from the party from which it was least expected. Why should not the same thing occur in America? There is nothing inherently Democratic in free trade, nor Republican in protection. The Democrats first opposed protection, because in the Southern States there was little to protect, and also because it afforded a constitutional question. They declared that a protective tariff was unconstitutional, but on this point they were overwhelmingly beaten. Since that time they have cherished an enmity to protection which is wholly traditional. In the last presidential campaign the Democratic nominee expressly abandoned free trade, and informed the public that it was a mere local matter. The advocates of free trade are cosmopolitan in their ideas; they would break down the barriers between nations and bind them closer together. How different are the tenets of the Democrats! They have always striven for subdivision and separation. They begrudge the nation its strength, while they glorify the individual State. The Republican party has a wider field of vision. It exalts the country and not the State. It occupies middle ground between Democratic and free-trade principles. The Democrat's unit is the State; the Republican's is the Nation; the Free Traders is the world. Free trade is more harmonious with the broad views of the Republican party than the narrower doctrines of the Democrats. Some of the ablest free-trade journals in the United States are Republican, and this fact, in connection with General Hancock's celebrated letter, seems to suggest that the Republican party may at some day

follow the example of the English Conservatives in surprising the world.

Whether free trade must finally find aid in the Republican party or not, we have seen that it cannot be expected to form a great national party for itself. Our party principles, like those of the English, will remain the same in spite of free trade. The same may be said of civil service reform. These reforms are sporadic, and belong to no regular political system, while their theoretical soundness promises their success and the lasting honor of their promoters. The Greenback and the Prohibition movements, like the old Anti-Masonic outcry, hold a very humble position in the class of miscellaneous agitations, from which permanent parties cannot arise. We are fortunate in being almost free from the English party questions. The rights of the people need no advocate here, because they are sufficiently assured. The only further steps which we could take—except perhaps to woman's rights—would be toward the disastrous views of Communists, Socialists and Nihilists. Of these we have very few, and they are all foreigners. Their children will be wiser. It is true that most Socialists vote with the Democratic party, but there is nothing Socialistic in Democratic principles. The Democrat distrusts the National Government; the Socialist hates all government. They have, therefore, a little in common, and this deceives the foreigners. He does not see that the Democrat disparages the central power in order that he may increase the relative power of the States. There was nothing plebeian originally in the Democratic party. Its stronghold was among the proud, slave-holding planters of the South. They wanted a strong Government, but they wished to have it in the State where they could control it. Socialists will find nothing to encourage them in Democratic principles. They must stand by themselves, and many years will pass before they can do so in America.

The conclusion at which we have arrived is plain. The Democratic party—the conservative, strict-construction party—must regain power when the work of Republicans is performed and national issues fail. There is, however, no probability that such issues will fail. The new party questions must have their foundation in the construction of the Constitution. The Democratic party will certainly survive and resist all new broad-construction ideas. The progressive side may be taken by a new party. It is at this point that our history gives Republicans a lesson. There is no reason why a new party should supplant them,

provided that they avoid political errors. If they push their policy too far—as the Federalists did in the Alien and Sedition Acts—they will fall like the Federalists. If they are not ready to adopt all sound progressive, broad-construction principles, as the Whigs failed to do in the case of the extension of slavery, they will disintegrate like the Whigs. On the one hand, they do well to avoid too much vigor in their foreign policy; on the other, they should with a strong arm dislodge the Mormon and protect the Chinaman. Still, whatever they do, we cannot but congratulate ourselves that the people are so evenly divided between our parties, and that excesses in either direction will be inevitably and speedily checked.

ERNEST HOWARD CROSBY.

UNIFICATION OF MONEYS, WEIGHTS AND MEASURES.

THE great diversity of systems used in weighing and measuring, and the vast variety of monetary systems among the different nations of the earth, are evils which have long been felt and are universally acknowledged. The inconveniences and losses resulting therefrom are becoming continually greater and more apparent with the constantly increasing facilities for international communication whereby people and commodities of distant regions are being brought into more constant and immediate contact.

Among the most useful things which have become nearly universal are the Roman alphabetic letters, the so-called Arabic numerals, and the written language of music. A conviction of the advantages and benefits of these unities is felt in every industry, every profession and occupation, in every branch of science, art and literature; and a like conviction of the importance and necessity of a universal system of weights, measures and moneys, is being awakened in the public mind—in the mind of the whole civilized world. It spreads with the increase of commerce, the exchange of ideas, and the diffusion of knowledge. A movement so peaceful, so desirable, and which has become so universal, is not likely to cease nor to decrease, but must naturally spread and increase in extent and in velocity.

The inconveniences which result from the diversity of monetary

systems are even greater than those growing out of the diversity of the systems of weights and measures. These are confined to the trouble and loss of time occasioned by the tedious calculations required to pass from one system to the other. Still, the objects which are weighed or measured continue the same, and may be made use of anywhere. In the case of coin, on the contrary, besides similar calculations of allowance which are necessary, the objects themselves—that is, the coins—often lose a portion of their value in passing from one country to another.

It cannot be doubted that the universal unification of coins, by creating a common medium of circulation, would constitute one of the most effective means for the advancement of general commerce. Such a medium, universally adopted, would save the loss of time and the trouble caused by the calculation which it is constantly necessary to make to ascertain the precise value of the different coins. It would reduce to a minimum the rate of exchange, that grievous burden to commerce. It would obviate the losses from exchange of money, to which the arts and manufactures and, not less, travelers, are subject. It would diminish the needs of circulation; and, finally, would tend to an immediate and radical cure of the crises which spring up in commerce from the accumulation of money at one point and its absence at another.

When it is considered that the dollar of the United States, the five-franc piece of France, and the pound sterling of Great Britain (or rather the one-fifth part of it), so nearly approximate in value (the five-franc piece being worth 96.175 cents, and one-fifth of the pound sterling being worth 97.33 cents, United States currency), it would appear that a little legislation would reconcile the whole difficulty. It will be found upon examination, however, that there are many difficulties to be overcome before a complete unification of coinage can be made possible. Among these may be mentioned those pertaining to—First, other changes necessarily involved in a change of the monetary system; Second, the conflicting claims of the denary and the octonary scales of numeration; Third, the metallic standard to be adopted; Fourth, the standard of weight and value of the mint; Fifth, the percentage of alloy to be used; Sixth, the nature of the alloy to be used; and lastly, in addition to philosophical reasons, the prejudices naturally existing against the introduction of any new system.

A rational or philosophical reform in the monetary system is intimately connected with a reform in measures of length; in fact, is so

dependent upon it and is so inseparable from it that it would seem to be impossible to make such monetary reform unless it were preceded by or accompanied with the necessary reform in linear measures. Should such reform be decided upon, a reform in weights and measures of capacity is no less needed, and all are so connected that the work of amendment to be complete and efficient should embrace all.

The unit of linear measure is that which must give law through the whole system, and consequently the great starting-point in any comprehensive system of reform must be the standard of length. What standard, then, shall be adopted? Shall the French metre be taken, or can some other unit of measure be found which possesses superior advantages? Looking at the subject theoretically, and, discarding all existing systems, there can be no doubt that a much better one than any of them can be devised.

The French system embraces all the great and important principles of uniformity which can be applied to weights, measures and coins; but it is not complete; it is susceptible of many modifications and improvements. The greatest objection to the metric system results not from any defect in the plan on which it is established, but from inherent defects in the denary system of numeration. A large number (perhaps a large majority) of the well-educated have been accustomed to regard the decimal system as possessing a peculiar beauty and expressiveness from the great facility with which the ordinary operations of arithmetic are performed by it. Indeed, after laboring at the tedious and troublesome reductions of compound numbers (consequent upon other scales of progression), unfortunately so often required to be made, the relief of a single addition or multiplication in the homogeneous units of our common scale is too striking not to excite a feeling of admiration for the easier process. It appears not to be generally considered, however, that this facility of computation is in no respect due to the series of "tens" by which we count, but is derived exclusively from the admirable notation in which the series has been clothed, and through which alone we are in modern times made acquainted with it, and from the perfect conformity of the notation to the series. Any other scale will be found to exhibit an equal facility if the same notation be employed and made to correspond strictly with the selected scale. The decimal scale possesses the immense advantage of a universal establishment, but beyond this very little can be said in its behalf. Admirable as it has been shown to be for all the purposes of arithmetical computation, it is unfortunately not so well

adapted to the primary and most extensive uses of determining and distributing the actual quantities of things to which it is applied. For the practical division of all the material objects for which alone it is designed, it is found to be one of the most inconvenient and unsuitable scales that could possibly be selected.

All experience has shown that the primary and most needful division of all the more common units of measure is into halves and quarters, a convenience or necessity which cannot be supplied by any other ratio of division. If it were required to divide a given quantity of grain or of flour into two, four, eight, or sixteen equal portions, this could be effected with perfect precision by the aid of a balance, without the employment of any weights or standards. If it were similarly required to divide the quantity into equal thirds, fifths, sixths, sevenths, ninths, or tenths, the accomplishment would be simply impossible, and, even with the assistance of weights, would be found to be a very difficult and unsatisfactory problem. Any one can fold a ribbon into eight exactly equal parts; no one could fold it into ten exactly equal parts.

This prime importance of a binary scale of measures results, however, not alone from the far greater facility with which all quantities, whether linear or superficial, liquid or solid, can be so divided, than by any other scale, but also from the fact that the mind has a more ready apprehension of the binary than of any other ratio of numerical progression. And by this scale alike the wise and the simple would approximate an undetermined quantity. This halving tendency is thus inevitably fixed upon the customs of a people by the duplex bond of a subjective as well as an objective reality. It is, therefore, neither remarkable nor unreasonable that whether the customary units be feet or acres, yards or miles, quarts or gallons, pecks or bushels, pounds or hundredweights, or tons, the universal popular demand should establish the halves and quarters of these standards as their indispensable factors. And this requirement of the "popular common law," it is proper to observe, is wholly irrespective and independent of any tabular scale appointed by the legislative authority. As the fraction of a yard, the foot is an unknown quantity. Like the carpenter's inch, the yard as a unit has practically no divisions but the binary ones of halves, quarters, eighths and sixteenths.

Founded as this principle is upon a universal need and quality of human nature, it is, of course, not peculiar to any people or country. In France, where a universal decimal system has been established by

law for more than a half century, the tradesman persists in cutting up his metre into fourths and eighths, and in utterly ignoring the decimetres and centimetres provided by the wisdom of his rulers. The same development has occurred with the kilogramme, the prevalent unit of weight, and with the litre, the common measure of bulk. So that, for all the purposes of shop accountancy, the ideal simplicity of the decimal system has been practically illustrated by a complex and troublesome aggregate of centesimal and millesimal fractions. If we ask for so simple a measure as three-fourths of the metre, we can find it only in 75 centimetres; and if we desire to measure $6\frac{1}{4}$ centimetres (the sixteenth part of the metre), we can find no mark upon the scale to give it.

Apparently, these difficulties cannot be overcome in any other way than by the introduction of the octonary system in the place of the decimal system of numeration, as formerly proposed by the author.¹ At the same time it is believed that, even were the Octonary Arithmetic, with all its own intrinsic excellence, not to be adopted, that octonary weights, measures and coins, would be worthy of an independent establishment. After the variety of arithmetical reductions to which we are now accustomed under our present incongruous tables, the uniform reduction of a single scale, which would alone be required in the new order, would give a very great simplification and relief, and would in every probability be found upon the whole to entail less inconvenience than that which would remain with even the perfect decimalization of our various measures. So that, even under the disadvantages of a decimal dispensation, we believe it could easily be shown that this octonary distribution of weights, measures and coins would still, in view of all the circumstances, be the "best possible" one for popular use, and would most completely furnish the elements of a perfect uniformity.

The relative merits of the metric or decimal system and an octonary scale of measures may be concisely summed up in this: that the former would save a considerable amount of calculations in all the accounts and arithmetical operations of the counting-house; the latter would save a large amount of trouble, annoyance and confusion in all the dealings of the shop, the warehouse and the market. If it be the principal or most general office of a scale of weights and measures to

¹ See "Report on Weights and Measures," read before the American Pharmaceutical Association in 1859, and published in their volume of Proceedings for that year, and from which report much of the present paper has been taken.

facilitate bookkeeping, then, with our present education, is the decimal system obviously the best. If the primary and most important function of such a scale be to provide for the readiest division, the most accurate apportionment, the broadest distribution of all material property—to facilitate, in other words, the active employments of the tradesman, the artisan, the builder, the machinist, the engineer—then is the octonary system clearly the best. It has been fully shown that under our existing form of arithmetic these two great objects cannot both be fully attained, and we already have, to some extent, a compound system in weights, in measures and in prices. Which, then, can be sacrificed, and which preserved, with greatest wisdom? Of the two opposing disadvantages, which can be selected as the smaller evil? Which is to take the precedence, the mart or the counting-house?

In regard to the range and number of persons to be reciprocally affected by the selection, there could scarcely be a question. In regard to the character and relative importance of the respective conveniences, there would appear to be almost as little room for doubt. If it is shown that uniformity in many other relations than those of simple number, and no less vital to the interests of art, trade and commerce, has been constantly and irretrievably sacrificed to the decimal despotism; if it is established by the voice of all experience that neither national nor international standards of length, of weight, of area, of volume, or of value, of any single subject, in short, to which these figures can be usefully applied, have ever the slightest hope of obtaining a general authority under its rule, then must it be dethroned and a new dispensation introduced, developed from such principles and invested with such attributes that it may rationally be expected to gain at length a universal ascendancy, through the concurrent approval and adherence of all intelligent nations. For the attainment of a real uniformity there seems no other process or alternative, and for such an attainment no sacrifice of temporary convenience could be held to be too great. The faults of the decimal system are too radical to be amended—too obnoxious to be endured. Sheltered by the inertia and conservatism of inveterate habit, it has been tolerated already much too long. The unskillful contrivance of an early age, it is all unsuited to the wants or uses of an adult manhood of the race.

The number "8" is preëminently the fitting number for giving law to the distribution of weights, measures and coins. First (and beyond all other considerations), because it admits of continued bisection till we arrive at the unit. Secondly, because it is a perfect cube number,

a quality which establishes the most precise and definite relations between linear extension and capacity, so that the cubical measure of volume, whether liquid or solid, and the cubical standard of weight, have each a simple integral expression in the linear scale of measure. Thirdly, because it requires no subordinate divisions, whether in coins or in weights, in lengths or in vessels, excepting the halves and quarters of each unit—these having also integral values—to give every possible numerical range; and, lastly, because with all these combined advantages it presents the most convenient mean of magnitude between a too contracted and a too extended scale of progression.

To illustrate the advantage of employing a cube number for a metrical radix, let us resort to an imaginary scale of lengths; let the 16-inch rule (call it a "module") be assumed as the hypothetical standard; let this module be divided into two equal "spans" (of 8 inches each); each span into two equal "hands" (of 4 inches each); each hand into two equal "digits" (of 2 inches each). This would furnish us with one octonary stage, to wit: 8 digits make 1 module, with the intermediate progression of 2 digits to the hand, 2 hands to the span, and 2 spans to the module. Let it be further assumed that the cubic digit should give the standard capacity measure, the pint (though in fact its volume would be less than half that measure), and that 8 of these pints should make the gallon, 8 gallons the bushel, and 8 bushels the quarter. Then the gallon would be exactly measured by 1 cubic hand, the bushel by 1 cubic span, and the quarter by 1 cubic module. In like manner every ascending octonary measure of capacity would have a precise linear standard (2 modules, 4 modules, etc.) for the side of its cube.

To illustrate the contrasted awkwardness and complexity of a decimal system of weights and measures, let the French litre be selected. The litre is the cube of the decimetre; 10 litres make 1 dekalitre, and if we would seek the cubic measure of this quantity, we shall find by a troublesome process of extracting the cube root that 2 decimetres, 1 centimetre, 5 millimetres and a decimal fraction, .44347, and so on interminably, will give us an approximation to the length of the side within an assignable limit of error. In other words, although there certainly is a cubic vessel that shall contain exactly 10 litres, it is not within man's art of mensuration to tell precisely what the size of that cube must be.

If, on the other hand, it was required to find the dimensions of a vessel holding exactly 8 litres, we know that a cube of 2 decimetres

will give the measure with absolute precision ; or, if on the descending scale, it were required to find the size of a vessel holding exactly one-eighth of a litre, the cube of 5 centimetres gives us the perfect solution.

Having thus shown some of the advantages resulting from an octonary distribution of weights and measures as contrasted with the metric system, the next subject that demands consideration is the determination of the unit which shall be taken for our standard of linear measure. In selecting a standard of length (without any reference to its ideal derivation), two considerations of very obvious and primitive notice impose a tolerably definite limit as to what should constitute the length of a useful, popular measuring rule. The first is, that it should be conveniently portable, if not in a pocket, at least in a satchel, or upon the thigh. The second is, that when held by one hand in careful and precise position for taking or giving measures, its two ends should each be distinctly within accurate view, and within easy reach of the free hand for precise marking, without any constraint or effort of the body. These two conditions, which would both be assigned on perhaps one-half the occasions of its familiar use, render it tolerably manifest that its length should be not less than 12 inches, and while certainly excluding the yard-stick and the metre, would probably designate the carpenter's two-foot rule as reaching the maximum limit of practicable length. Both the French metre and our own yard-stick are very awkward and inconvenient standards, being too long for all the ordinary purposes of mensuration, excepting itinerary measure, and as a popular standard utterly useless except on the counter of the draper. Moreover, we would naturally select such a rule as we would measure our houses by, or the furniture within them ; such a rule as the carpenter would cut or lay off his boards by ; such a one as the mechanic could use in his workshop, or the machinist handle in fitting his engines. Theoretically, it matters little whether our unit of reference be the inch or the mile ; but for the practical business of daily life it becomes a matter of the very highest importance that our unit of measurement should be such a one as shall have the most convenient and universal application.

A resort to the French metre, as a standard, would be in every respect objectionable, unless we should accept along with it the entire metrical system ; and it is not believed that the system itself, in its present form, possesses the elements of a general ascendancy or even a permanent establishment.

Great Britain has shown such a determined opposition to the metric system that in the International Monetary Conference, held at Paris in 1867, she refused even to negotiate in reference to unity of coinage, and her delegates stated that "until it should be incontestibly demonstrated that the adoption of a new system offered superior advantages, justifying the abandonment of that which was approved by experience and rooted in the habits of the people, the British Government could not take the initiative in assimilating its money with that of the Continent." She maintains the most complex system of measures, weights and coinage, now in use among civilized nations; she persistently rejects the decimal system, and adheres to the complex division of pounds, shillings and pence, a system abandoned by the United States in their rejection of colonial dependence.

Our weights, measures and coins at present correspond much more nearly with the English than with the French standard. Our commerce with Great Britain is perhaps eight times greater than with France, and we should certainly commit a great error in adopting the metric system, unless Great Britain should consent to adopt it also.

Our adoption of the metric system, and the consequent change of our linear unit, would sever our uniformity with Great Britain, a country with which three-fifths of our foreign commerce is transacted; besides which it would entail great inconvenience and much greater expense than is usually imagined. The measurements of every plot of ground in the United States have been made in acres, feet and inches, and are publicly recorded with the titles to the land, according to the record system peculiar to this country. What adequate motive is there to change these expressions into terms which are necessarily fractional, and in which those foreign nations whose convenience it is proposed to meet have no conceivable interest? What useful purpose is subserved by designating a building lot 20×100 feet, in the form of $6.095889 \times 30.479448$ metres?

Besides this, the industrial arts during the last fifty years have acquired a far greater extent and precision than were ever known before. Take, for instance, the machine-shops, in which costly drawings, patterns, taps, dies, rimers, mandrils, gauges and measuring tools of various descriptions for producing exact work, and repetitions of the same with interchangeable parts, are in common use.

It has been calculated that in a well-regulated machine-shop, thoroughly prepared for doing miscellaneous work, employing 250

workmen, the cost of a new outfit, adapted to new measures, would be not less than \$150,000, or \$600 per man.¹

Supposing full consent were obtained for using metric measures in all new machinery, how slow and difficult would it be to make the change. A very large proportion of work consists in renewing worn parts; where then are the new measures to come in? The immense plant of railway motive-power in the United States is all made to inches and parts. At what time can a railway company afford to change the dimensions of the parts of a locomotive engine? At no time, because the change would require to be simultaneous in the whole stock. It is true that the old dimensions might be adhered to, and called by metric names, putting 0.0254 metres, or 25.4 millimetres, for one inch; but this would be only an evasion, not a solution, of the problem.

The English yard is derived from ancient arbitrary standards; theoretically, it is supposed to rest on a law of nature. A pendulum vibrating seconds, in a vacuum, at the level of the sea, in the latitude of London, measures 39.13929 inches in length, 36 of which make one yard. Practically, the standard yard is the distance between the centres of the two points on the gold studs in the straight brass rod now in the custody of the Clerk of the House of Commons, whereon is engraved "Standard yard, 1760," the brass being at the temperature of 62° of Fahrenheit, thermometer.²

[This brass standard yard was executed by Mr. Bird, a celebrated optician, in 1760.]

In the United States the yard is a copy of this standard, and is declared by law to be "the distance between two points on a certain piece of brass, at the temperature of 62° Fahrenheit." This piece of brass was obtained from England in 1827, and is deposited in the Office of the Coast Survey at Washington, D. C.

In considering the derivation of a standard for linear measures, the great desideratum is an immutable and invariable standard from nature; the metric system claimed to have furnished such a standard, and this was one of its greatest merits.

The metre is really as arbitrary a standard as the yard; the only real thing about it is the rod in the public archives. The length of

¹ See "The Metric System in our Workshops, etc., by Coleman Sellers." *Journal of the Franklin Institute*, June, 1874.

² So declared by Act 5, Geo. IV., c. 74 (1824). And this was the first attempt to refer the English foot to a natural standard.

the metre, if lost, is to be recovered by comparison with the length of the second's pendulum, and so likewise is the yard. The adopted length of the metre having been found incorrect, not even a sentimental reason remains for adopting it as a unit of measure.

The adoption of the metric system is strongly urged on account of superior advantages it possesses over other systems. These are supposed to consist:

First—In having an invariable standard, taken from nature.

Second—In having a single unit for all weights, and a single unit of measures of capacity for all substances, wet or dry, as well as a single unit for all measures of length.

Third—In having decimal subdivisions and multiples of its units; and lastly, in the uniformity, precision, and significance of its nomenclature.

As we have shown, the metre as a standard taken from nature is a failure. For all practical purposes, a platinum rod kept in Paris is the standard metre, and this has no special advantage over the brass rod kept in London as the standard yard.

As we have shown, the decimal subdivisions and multiplies of its units are the inseparable and insuperable defects in the metric system.

In the Report on Weights and Measures by the author, previously alluded to, the derivation of a new standard is proposed which it is believed would prove satisfactory, and which, upon the introduction of an octonary arithmetic or system of numeration, should be insisted on. In view of the various considerations we have stated, we believe it possible to construct an octonary system of weights, measures and coinage, that shall embrace, in equal degree with the metric system, all the great elements of simplicity and uniformity, in addition to the immense advantages heretofore mentioned; and while a new standard would be more philosophical, we believe that the adoption of the English inch, or a multiple of it—the inch being the one thirty-sixth part of the standard yard, which is also our standard yard—with an octonary distribution of the various tables of weights, measures and coins, could be much more readily accomplished, since it would leave undisturbed all linear measures of Great Britain and of the United States, and would, in our opinion, possess all the essential elements for a successful adoption by both countries. It would also serve to prepare the public mind for the further introduction of the octonary system of numeration.

If it be objected that a system differing essentially from that of

France could not expect to be received in that country now, the answer is obvious. Very much better is it that France should suffer the temporary inconvenience of changing her present system for a better one, than that America, Russia and England, should suffer the permanent inconvenience of taking an imperfect and unsatisfactory system. If a scheme worthy to be put into competition with the metric could once be inaugurated, there can be little doubt that the one found on the whole to be practically the better, or more convenient, would in the end prevail. The very difficulty of the nations now is, that the imperfect and objectionable metric system is yet without a rival.

As we have previously shown, in considering the selection of a standard the length of a measuring rule adapted to the popular wants should be not less than 12 nor more than 24 inches. We would, therefore, select for our standard a 16-inch rule, which we would call a "module," it being the "modulus" of our system. The square of this would furnish the basis of our table of area, or surface measure, while the cube of it would give us our "modius," or standard measure of capacity, and the weight of a modius of distilled water would give us our "pondus," or standard of weight.

By octaval subdivisions of this standard module of 16 inches, we should have for its eighth a measure of 2 inches, which we may call for the present a "digit;" for the eighth of this digit, a measure of $\frac{1}{4}$ of an inch, which we may call a "dent;" and for the eighth of this dent, a measure of $\frac{1}{32}$ of an inch, which we may call a "line."

In like manner the pondus, the weight of a cubic module of distilled water, at a maximum density (= 147 pounds, 14 ounces and 120 grains), would give, by successive octaval divisions, a cubic digit (of 8 cubic inches), weighing 4 ounces, 271.9 grains, which may be called an "unce," or new "ounce;" for the eighth of this, a weight of 252.7 grains, which may be called a "dram;" for the eighth of this dram, a weight of 31.593 grains, which may be called a "scrap;" and for the eighth of this scrap, a weight of 3.949 grains, which may be called a "carat."

In the application of such a scheme of weights and measures to a system of coinage, preliminary questions arise as to the metallic standard to be adopted, and as to the most desirable quality and proportion of alloy to be employed in the coins.

In Great Britain gold is the standard, and is consequently a legal tender for any amount; and, although the British Mint coins silver,

such coins are legal tender only for limited sums. In France, as well as in the United States, both gold and silver are standards, the silver standard in France being confined to the five-franc piece, and in the United States to the dollar piece, these coins being also legal tenders for all amounts, while in both countries the smaller silver pieces are legal tenders for only trifling amounts.

The value of gold bears no fixed relation to that of silver, nor can it be made to bear such relation by legislation. The relative value varies just as the relative value of any other two commodities, and is subject to the usual laws of supply and demand. For this reason the maintenance of a double standard, with satisfactory results, is simply an impossibility, and the attempt has given rise to nearly all the debasement of coinage of the last two centuries. As soon as one of the metals becomes enhanced in value it begins to be crowded out of circulation, either by being demonetized or by a diminution of the quantity of that metal in a given coin; and whenever this has occurred the effort to bring it back by legislation has been made, never by raising the value of the inferior coin, but always by degrading or debasing the more valuable one; and in this way the attempt to maintain a double standard of equal value has ever been the cause of mischief, operating continually as a temptation to debase the currency. This process has repeatedly occurred in Europe, and twice in the United States within the life of the present generation. By the Act of June 28, 1834, our gold coin was reduced from 270 grains of standard gold to 258 grains, or 4.4 per cent., in order to make it correspond with the market value of silver. In consequence of the discovery of gold in California, that metal was cheapened, and silver became relatively more valuable, and was hoarded or exported. To avoid this the weight of our silver coins was reduced, by the Act of January 21, 1853, from 206 grains of standard silver to 192 grains, or 6.7 per cent. And this debasing process will doubtless continue.

Supposing it to be satisfactorily determined that a double standard cannot be maintained, the question arises, Which shall be chosen for the standard, gold or silver? Oriental nations appear to prefer silver, and France would, perhaps, refuse to give up the silver standard, forming, as it does theoretically, the connecting link between French coinage and the metric system.

Great diversity exists among the units adopted in different countries. The pound sterling is the unit in Great Britain; the franc in France, Switzerland and Belgium; the mark in the German Empire; the yen

in Japan; the crown in Denmark, Norway and Sweden; the dollar in the United States, and various other units in other nations. These units are purely arbitrary, based upon local laws, and diverse in weight, value and alloy. They are in some nations of gold only; in some of silver only, and in some of a compound standard of gold and silver, and differing materially in the amounts of alloy, as well as in the relative value of the two metals.

The drift of opinion, however, among statesmen and authorities on finance is decidedly toward a single standard of gold, and in the plan for unification adopted by the Paris Conference in 1867 it was resolved that there should be a single standard, exclusively of gold.

The theoretical basis of the French system of coinage is the silver franc, containing nine parts of silver and one part of alloy, and having the weight of five grammes. This piece has ceased to be coined, and exists only in name. From this coin, by a relative valuation of gold and silver, arbitrarily assumed and fixed by law in the futile attempt to make it permanent (at the rate of 15.5 to 1), the weight of the gold coins is calculated. The weight of the silver coins was sensibly adjusted in integral numbers, the franc to weigh five grammes and the five-franc piece to weigh twenty-five grammes. This ratio of values compelled them to accept for the gold piece of five francs the interminable decimal resulting from the division of 25 by 15.5—viz., 1.6129032258064—equal to one gramme and $\frac{1}{31}$, a weight which is not only not metrical, but which cannot even be expressed in decimal figures; and the Paris Conference recommended to the world this five-franc piece of gold, which is not metrical in weight, as the unit of an international coinage.

The French gold piece is out of the pale of the metrical system, and in respect to this system a piece like the twenty francs, which weighs 6.451 grammes and an indefinite fraction, is as absurd as the pound sterling, the gold dollar, the crown, the German mark, or any other gold piece which circulates. The English are as much justified in recommending for universal unity the pound sterling, or the Americans the dollar, or the Spaniards the doubloon, as the French are in recommending the five-franc piece, or the twenty-franc piece, or the twenty-five-franc piece.

Another difficulty exists in the nature and amount of alloy desirable to be used. Both gold and silver, as pure metals, are found to be too soft to be advantageously used for coinage; hence various alloys have been used for hardening the coinage, and thereby making it wear

longer. In different countries various kinds, as well as varying percentages, of alloy have been and are still used; and thus, although coins from different mints should possess the same amount of gold and be of the same value (for the value depends upon the amount of pure gold contained in them), they would still differ in color and weight, which, of course, would be very objectionable. The exact kind of alloy, and the quantity of it, which would best fill the conditions of giving the greatest amount of wear with the least additional weight, are problems not yet satisfactorily determined. The United States Government should institute a series of practical experiments, under scientific direction, with a view of ascertaining these conditions. It is altogether probable that an alloy might be contrived that would wear better than any that has been used, and at the same time that a smaller amount of it than has been used heretofore would be found sufficient,¹ thus appreciating the value of the coinage and also making it more difficult to counterfeit.

The percentage of alloy used in this country and in France is $\frac{1}{10}$; in Great Britain it is $\frac{1}{12}$; in other countries it ranges from $\frac{1}{40}$ in Sweden down to $\frac{428}{10000}$, which is found in the cobang of Japan.

An entire remodeling of our coinage would, of course, be necessary under our octonary system. That such a remodeling is really very much needed, notwithstanding the vaunted excellence of our currency, and its real superiority to that of almost every other nation, may, we think, be very clearly shown. The universal prevalence of binary divisions, rendered necessary by the wants of trade in all its departments, and the signal inability of the established system of coinage to meet such want, are obvious. As specie is merely the representative of value, the proportions of it required in exchange for commodities must, of course, be determined by the necessary or convenient divisions of the commodity, and not by the size of the pieces which make the money. If the two are incommensurable, a sacrifice is demanded. Of the smaller articles, usually sold in packages, a dozen forms the most common measure; but we are aware of no single article being usually put up by tens, in correspondence with the coins which are to purchase them. Even articles of furniture, such as chairs, plates, cutlery, etc., are generally sold by the dozen, but never by the decade.

In the subdivision of articles, either by weight or measure, the universal requirement is that of halves and quarters; never that of fifths

¹ We would have it fixed, if possible, at $\frac{1}{16}$.

or tenths. Hence it results of necessity that prices must have the same bi-sections, without any reference to the arbitrary and oppressive, though impotent, exactions of a decimal regency. If, for example, we select any article worth a quarter of a dollar a pound, it is plain that, in the present state of our coinage, it is impossible for a purchaser to pay for half a pound. But the half-pound must be had, and so it must be paid for either by 12 cents or by 13 cents. The continued bi-sections of our dollar, actually required in the business of the shop, give us $12\frac{1}{2}$ cents for the eighths, $6\frac{1}{4}$ cents for the sixteenths, and $3\frac{1}{8}$ cents for the thirty-seconds. As none of these fractions are in use, they are necessarily sacrificed on the one side or the other.

In the first place, we would make gold the permanent standard of value. In the next place, we would have the standard of purity elevated and made permanent. We would have the mint standard fixed at fifteen parts of pure metal to one part of alloy, both for gold and silver. Should this amount of alloy upon investigation be found not enough, the mint standard might be fixed at eleven parts of pure metal to one part of alloy, which is the present British Mint standard. This standard, once determined, we would have made invariable, placed, if possible, under the protection of the Constitution, to be changed or debased on no pretense. We would make the gold coins exact weights, and measuring exact lengths; these, also, of course, to be permanent and invariable. The silver coins would fluctuate slightly in value, according to the current rate of the metal as compared with gold. To preserve their denominational values, the weights of the coins might be adjusted every eight years; the diameters of the coins, however, not to be altered, unless the comparative values of the two metals should change materially, the ordinary adjustment of weight being effected by modifying the thickness merely of the coins. Our highest coin, the eagle (new style), we would make to weigh exactly 8 drams, or one ounce (new style), and its diameter to measure exactly 8 dents, or 1 digit (new style), as we find this would give a coin of nearly the same proportions (or relation of thickness to diameter) as our present eagle.

Our new ounce weight is equal to 2021.9 Troy grains; $\frac{15}{16}$ of this, or 1895.53125 grains, being the amount of pure gold in our new eagle, would give us for its value \$81.633559, or, if the amount of gold should be diminished to $\frac{11}{12}$ of an ounce (new style), or to 1853.40833 Troy grains, its value would be \$79.819478.

Accordingly, we would propose the following simple money table:

MONEY TABLE.

<i>Denominations.</i>	<i>15-16 fine.</i>	<i>11-12 fine.</i>
1 penny = .....	.019930 or	.019487
8 pennies make 1 bit = .....	.159440 or	.155897
8 bits make 1 dollar =	\$1.275524 or	\$1.247179
8 dollars make 1 real =	10.204194 or	9.977434
8 reals make 1 eagle =	81.633559 or	79.819478

To preserve the same proportions of diameter to thickness in all the gold coins, our octonary scale gives us a very simple ratio; for since the diameters of the coins would be as the cube roots of their bulks or weights, it results that a gold coin eight times as heavy as the eagle should have exactly twice its diameter; or, on the other hand, that one an eighth of its weight should have exactly one-half its diameter. The real is such a coin, and would, therefore, be exactly four dents in diameter if its thickness were also one-half that of the eagle. Here we perceive once more the beauty and convenience of having the radix of numeration a perfect cube.

One very great advantage of the system here proposed is that it would supply the people with a scale of highly useful practical weights, and with a constant reference to original or national standards. Another benefit, no less striking, is that it would give them, on the other hand, the most convenient means of determining the genuineness of the currency, and thus provide an increased security from the impositions of the counterfeiter.

The silver coins should obviously be on a different scale of size, so that no two coins should have the same diameter. In our present coinage silver is just sixteen times as heavy as gold. A very suitable size for the dollar would be six dents, and, of course, in like manner the bit would be three dents. This would make our new dollar weigh two drams (new style). But this weight could not be permanently maintained, the barometric scale of silver being, as before remarked, liable to fluctuations.

On an octonary scale, all the subordinate coins required for representing all possible values would be merely halves and quarters. Here, again, we perceive another beauty in our system, that it gives a maximum range of expression with the minimum number of pieces. As we have five different coins in our table, a half and quarter to each would give us fifteen pieces, of which six would be in gold, six would be in silver, and three would be in copper. The dollar should be coined only in silver. We here have a distribution of moneys on a

purely binary scale, that scale which has been found to be of all scales the most beautiful and the most convenient, and running through a range of value considerably greater than is to be found in any nation—a range of binary progression perfect and unbroken from the farthing to the sixteen pounds sterling. A more simple arrangement, or one more suited to the popular necessities and more easy of popular comprehension and acquisition, cannot be devised. With these preliminary conditions and determinations, we are prepared to give the following table of our proposed coinage :

TABLE OF COINAGE.

<i>Coins.</i>	<i>Size.</i>	<i>Weight.</i>	<i>Value.</i>
Copper—			
Quarter-penny.....	2 dents, 2 lines.	.....	$\frac{1}{2}$ cent, nearly.
Half-penny.....	2 dents, 6 lines.	.....	1 cent, nearly.
Penny.....	3 dents, 4 lines.	.....	2 cents, nearly.
Silver—			
Quarter-bit.....	1 dent, 7 lines.	4 carats.	4 cents, nearly.
Half-bit.....	2 dents, 3 lines.	1 scrap.	7.8 cents, nearly.
Bit.....	3 dents.	2 scraps.	15.58 cents.
Quarter-dollar.....	3 dents, 6 lines.	4 scraps.	31.17 cents.
Half-dollar.....	4 dents, 6 lines.	1 dram.	62.35 cents.
Dollar.....	6 dents.	2 drams.	\$1.2471
Gold—			
Quarter-real.....	2 dents, 4 lines.	2 scraps.	\$2.4943
Half-real.....	3 dents, 2 lines.	4 scraps.	4.9887
Real.....	4 dents.	1 dram.	9.9774
Quarter-eagle.....	5 dents.	2 drams.	19.9548
Half-eagle.....	6 dents, 4 lines.	4 drams.	39.9097
Eagle.....	8 dents.	1 ounce.	79.8194

ALFRED B. TAYLOR.



ANCIENT AND MODERN UNIVERSITIES.

THE word University is derived from the Latin word *Universitas*, in its secondary signification of a society, guild or corporation. A university is, therefore, primarily a legal corporation. In practice, however, the term is now only applied to corporations formed for the advancement of learning. The first occasion on which it was so used is said to have been in a decretal of Innocent III., addressed *Scholaribus Parisiensibus*, at the beginning of the thirteenth century. It was used to designate them, not as a school, but as a corporation, with

certain legally prescribed rights and duties. The full expression for Paris was *Universitas Magistrorum et Scholarium*; for Bologna, *Universitas Scholarium*. A university is, therefore, a guild of learned men, bound together by the common design to promote all kinds of knowledge. It can hold property, like other corporations. It has also, in law, a special power of conferring degrees. It may consist of a single college, with a few professors, as many in America; or of several colleges united under one government, as at Oxford; or of a large number of professors lecturing independently, under the general supervision of a council appointed by the State, as at Berlin.

Generally, the object of a university is to teach all branches of knowledge, of whatever kind, and to enlarge the boundaries of science by original investigation. Its aim is to unfold for the learner the entirety of things that may be known. Its lofty design is to reflect, as in a mirror, the universe. But seldom does any university attain even a remote approximation to this ideal. In some of the larger universities, however, there is an attempt made to teach the elements of nearly every branch of knowledge that could be named. Thus the University of Leipsic, at the present time probably the leading German university, reported for the winter of 1872-73,¹ 141 professors and teachers, 2,940 students, and full courses of lectures on Theology, Jurisprudence, Medicine, Philosophy; including under the latter Chemistry, Botany, Magnetism, Political Economy, Archæology, and, in fact, nearly everything else that can be lectured about.

Our subject will naturally divide itself into three topics: First, the ancient universities; secondly, medieval universities; thirdly, a comparison of them with the modern universities.

I. THE ANCIENT UNIVERSITY.

The most famous university of ancient times, and the one with which we have the best means of becoming intimately acquainted, was that of Athens. Many of the most celebrated philosophers taught beneath the shadow of its groves; many distinguished men were graduated from its halls. From the time when "Pericles, in his famous funeral speech, reminded his Athenian hearers that their fatherland was a sort of school of Greece," to the day when the schools were closed by the edict of Justinian—that is, for nearly a thousand years—Athens was the center of an intense intellectual activity. From the whole Grecian world, and afterwards from all parts of the Roman

¹ Hart's German Universities, p. 362.

Empire, no generous youth thought his education complete unless he had spent one or more terms in the city sacred to Minerva. We are indebted for the details of university life in ancient Athens to a little brochure published by Professor Capes, reader in ancient history in Oxford University.¹ Being unable to consult the monumental inscriptions and other original authorities, I shall assume that his statements are substantially correct, and shall quote them freely, without further verification. Many particulars, also, are derived from the Travels of Anacharsis, Charicles, and the standard books of reference, in order to make the following description as exact as possible.

Our first thought in connection with any university is apt to be, in American fashion, what were its buildings? In what part of the city were they located? We derive this fashion from the English universities, whose splendid piles of architecture attest the munificence of former ages, and where it is hardly possible to conceive of a university apart from its clustered edifices, as if they were the body of which learning is the soul. But such a conception of the university does not exist in Germany; nor did it in ancient Athens. In Athens, as in any German university town, the buildings were scattered all over the city, and were not specially magnificent, or in any way particularly noticeable. The university was not imagined to consist in certain stately turrets and quadrangles, but rather in the corporation of learned professors and the students who were drawn to their teachings. There were, however, certain places and apartments appropriated to the university, as a matter of course. In Athens there were three well-known gymnasia, which formed the nucleus of the university. These were called the Lyceum, the Academy, and the Cynosarges. They were handsome structures, with lecture-halls, porticoes, bath-rooms, apartments for gymnastics and military exercise, and a grove for out-door training. There was also a stadium, or public theatre, for exhibitions. At first the professors lectured and the students assembled in these gymnasia. From thence they went in solemn procession to the temples for religious devotions, to the legislature to attend the debates, to the theatres to hear the great dramas, or to the town-hall to be examined. Afterwards, Plato bought a little garden near the groves of the Academy for 3,000 drachmæ, where he and his successors gave lectures. The students erected huts near by in which they could live cheaply. By the will of Theophrastus, his house and garden were bequeathed to such of his "friends as cared to pass their lives in them

¹ Harper's Half Hour Series.

together, in study and philosophy." Cicero, in his treatise on the later Academicians, says: "Those who were with Aristotle were called Peripatetics, because they disputed while walking about in the Lyceum; but those who, by the will of Plato, were assembled in the Academy and held conversations there, from the name of the place were called Academics." In later centuries the students sometimes subscribed money to build a theatre for a favorite professor to lecture in. In default of any other place, the professors lectured in their own houses. Thus, the buildings appropriated to the university were scattered all over the city, and were for use rather than for ornament.

Originally the students were all the young men of Athens, of free parentage, between the ages of eighteen and twenty. These were banded together primarily for military drill and instruction in the duties of citizenship. But when Athens had lost her freedom, the Ephebi, as they were called, included only those who volunteered for the enrollment, with such others from abroad as chose to be enrolled among them. The latter were not numerous, probably not exceeding one hundred in any one year. The drill of the Ephebi, or, as we might say, the Preparatory Department, continued only for the year following their matriculation. The course of yearly instruction and drill, as it existed about 100 B. C., is shown by the following decree, which was regularly voted in the Athenian Assembly about that time:¹ "*Whereas*, The people always has a hearty interest in the training and discipline of the Ephebi, hoping that the rising generation may grow up to be men able to take good care of their fatherland, and has passed laws to require them to gain a knowledge of the country, of the guard-posts and the frontiers, and to train themselves as soldiers in the use of arms, thanks to which discipline the city has been decked with many glories and imposing trophies; and *whereas* on this account the people has always chosen a rector of unblemished character, and accordingly last year Dionysius, the son of Socrates, the Phylasian, had the care of the Ephebi intrusted to him by the people, and duly sacrificed with them at their matriculation, and has trained them worthily, keeping them constantly engaged at the gymnasium, and making them all efficient in their drill, and insisting on decorum, that they should not fail throughout the year in obedience to the officers, the tutors and himself; and *whereas* he has watched over their habits of order and of self-control, taking them with him to

¹ Capes, *University Life in Ancient Athens*, p. 43.

the professors' lectures, and being present always at their course of instruction; and *whereas* he has also roused their public spirit by teaching them to be good marksmen with the catapult, and accompanied them in their rounds to the guard-posts and the frontiers, and has arranged the boat-races in the processions at Munychia, and also the foot-races in the gymnasia, and the escorts of honor for our Roman friends and allies, and reviewed them on parade at the Thiseia, and has been vigilant in all cases to maintain their pride, and has watched over their studies, and ruled them with impartial justice, keeping them in sound health and friendly intercourse, treating them with a father's care; in return for all which the Ephebi have presented him with a golden crown and a bronze statue, to show their sense of his character and loving care; and *whereas* he has passed the accounts as the law requires, the Senate and the people, wishing to show due honor to such rectors as serve with merit and impartiality, *Resolve*, To praise Dionysius, late rector of the Ephebi of last year, and to present him with a golden crown, and have proclamation made thereof in the great festival of Dionysius, as also at the athletic contests of the Panathenaic and Elensurian feasts."

This was the regular course of proceeding—golden crown, vote of thanks and all, not forgetting the statue of himself, which the rector gratefully accepted as a testimonial from the students, and did not forget to pay for out of his own pocket. These decrees of honor were inscribed on mural tablets at the gymnasia, and many of them have been dug up in late excavations.

The course of study, if we may call it so, was at that early date, as we perceive from the decree above quoted, nearly equally divided between gymnastics, military drill, attendance at lectures, and parade on state occasions; for the Athenians regarded perfection of health and good behavior quite as important as any intellectual discipline which the students might receive.

In addition to the Ephebi, and composing what we should be more likely to regard as the university proper, was a large number of students from abroad, amounting at times to several thousands. These came to listen to the famous professors of philosophy and rhetoric, to hear critical dissertations on the old Greek literature, or to perfect themselves in the art of composition. Every young noble was ambitious to complete his education by learning to declaim extemporaneously, to write poetry in the epic or lyric style, and to discuss the refined distinctions of Athenian metaphysics. As all the world

knows, there were four great schools, Academic, Peripatetic, Stoic and Epicurean, under which the students ranged themselves according to their predilections. The Epicurian philosophy was rather frowned upon by the State, but appears to have flourished equally well in spite of the opposition. The professors at first imagined that the dignity of their office required them to refuse all fees, but after a time they consented to be rewarded for their services. Some chairs were ultimately endowed by the Government; others were endowed by private benefactions. The instruction was at first almost entirely by lectures, or by free and familiar conversation. But afterwards it approached more nearly to the curriculum of a modern university. Our knowledge of the details of student life is mainly derived from narratives written in the fourth century, A. D., by the church fathers, Basil and Gregory Nazianzen, who were students at Athens, and from the lectures of Libanius, who was a professor there. From these sources we learn that "the young students read and commented together on the writings of the classic authors whose style seemed noblest and sentiments the purest. The lecturers discoursed on the beauties or on the characteristic features of the authors, while the students, assisted sometimes by the slaves who wrote short-hand, took down notes of what they heard. Their studies in philology, however, extended only to one language. The literature of Rome was quite ignored by these disdainful schoolmen as unworthy to be mentioned by the side of Demosthenes and Homer." Even Demosthenes was somewhat too unadorned for the taste of a fastidious age, which preferred the graceful periods of a Palemon or Aristides. The students practiced incessantly in writing compositions, to be corrected by the professors, and in the art of extempore speaking, which was passionately admired. For this purpose they stored their memories with a stock of commonplaces which would fit equally well to almost any subject; studied the elaborate harangues of the professors, which were often published for their use; took leave of their friends in frequent tearful farewells; addressed complimentary speeches to imaginary audiences of generals, governors, or other great men; or, taking themes from ancient history, gave, perhaps, advice to Miltiades, and fought over again the battle of Marathon.

A thorough student like Basil not only mastered rhetoric and philology, but also excelled in philosophy, including both ethics and metaphysics, studied mathematics and astronomy, and even had a course in the theory and practice of medicine. Hermogenes learned

morals, physics and theology, and then traveled far and wide to get a practical familiarity with the face of nature. The discipline was variously administered, not by the university as a whole, but by the different lecturers. Some corrected sleepy hearers by striking them on the head with a rod; others scolded them roundly for being late or inattentive, and even expulsion was resorted to in extreme cases. "Himerius, the last of the great holders of the chair of rhetoric at Athens, would only hear of the attractiveness of gentle words." He would rule by love only, and, of course, was immensely popular with the students. On the whole, discipline was extremely lax. The students, we are told, preferred to stay at the bath singing their worn-out college songs to attending promptly a lecture on Demosthenes. Some graceless youths wasted on wine parties the money their parents had sent to pay the term bills; and the professors had no recourse but to indignantly bewail the sacrilege. So far as the manners of the students were concerned, young men were then very much what they are now. Some were well-behaved and studious, others were less so than they should have been. It was with them a licensed privilege to solicit attendance on their favorite professors. They posted themselves on the hills about the city, or at the harbor, to ingratiate themselves with young gentlemen who were about to enter college; very much as the sophomores at Yale used to haunt the depots and board the incoming trains in the interests of the literary societies. Libanius had hardly set foot in the city before he was seized by a party of seniors and carried off by main force. Nor was he released until he promised to attend the lectures of a man he detested. We read also of hazing the freshmen. It consisted in a sharp contest of banter and Attic wit, in which the new-comer did not always fare the worst. After this he was marched in mock procession through the streets, and treated at the end to what modern students would call a "rush." These rough sports were not always confined to the initiation of new-comers. One unfortunate tutor, for instance, was ignominiously tossed in a blanket. There were also occasional riots between the students and townsmen, the former being easily recognized in the fray by their peculiar "petasus and chlamys," or cap and gown. There was frequent uproar between bands of students belonging to different nationalities, or attending the lectures of rival professors. Some of the students were extremely poor. Thus Proæresius, the most famous scholar of his age, and a fellow student named Hephæstion, had, it is rumored, but one coat between them and a few old blankets. Only one, therefore,

could go abroad at a time to attend lectures. Meantime the other wrapped the bed-clothes around him and did his exercises as he could until his turn came to wear the coat. But on the whole there was an irresistible charm in student life at Athens. There was a spell on the dull old university town; with its crumbling gymnasia, its painted porch from which the freshness was all gone, its half-deserted groves, its ancient temples; its memories of a long line of learned and eloquent men who had taught there, the most illustrious that the world had ever seen. The students lingered sometimes five or ten years, unwilling to dispel the charm by going forth to the duties of active life.

At last a new theology supplanted the old pagan myths; legal studies became more important than the requirements of philosophy; new universities at Beyrout, Antioch, Marseilles, arose to dispute her supremacy; and finally, by the edict of Justinian, the Athenian lecture-halls were closed for ever. But the spirit of Athens is not dead. The eloquence, grace and beauty of her master minds still exert a fascination upon scholars unrivalled by any others. The discovery of them after the dark ages was the renascence of Europe. No learned culture is complete which does not include some knowledge of the great tragedians, the philosophers, the historians, and the orators who "Fulminated over Greece."

For perfection of literary form, for elegance of speech and variety of expression, as well as the subtlest distinctions of logic and metaphysics, the world still stands indebted to the famous old University of Athens.

II. THE MEDIEVAL UNIVERSITY.

After the confusion and terror of the dark ages, whose incessant wars and wide-spread devastation left little time or disposition for study, there appears, about the beginning of the twelfth century, a very general quickening of the European mind. In this and the following century occurred such notable events as the crusades, the revival of painting, the perfecting of Gothic architecture, the commencement of constitutional liberty, and the first establishment of the modern European kingdoms on their present basis. The movement, which was felt in all departments of human action, resulted also in the establishment of a large number of universities. The great names of Paris, founded A. D. 1109; Bologna, 1158; Oxford, 1200; Valencia, 1209; Padua, 1228; Salamanca, 1250; belong to this period. These

universities were born of the irrepressible spirit of inquiry which was everywhere felt. For seven hundred years the system of the Catholic Church had been received almost without question. But now men began to say, "Tell us the reason of our faith; we are willing to believe the dogmas of the church, only show us the ground of them."

The oldest, and in many respects the most influential, of the medieval universities was that of Paris. Our purpose will be most conveniently subserved by limiting our description of the medieval period to this famous university. Its origin seems to have been a school held in the cloisters of Notre Dame by William of Champeaux. He was, however, soon rivalled and eclipsed by his celebrated pupil, Abelard. A throng of students was attracted by the eloquence and the novel philosophy of the latter. It was he who gave the powerful impulse that finally resulted in a university of thirty thousand students, divided into four nations; in extraordinary privileges and a commanding reputation. The first regular charter of the university was given apparently by Philip Augustus, in A. D. 1200, but the university had already existed for nearly a century in many of its essential features. This was not only the first, but the model of all the rest. The peculiarity of the organization of a medieval university, and, as they regarded it, an essential feature, was the division into *nations*. This was rendered necessary no doubt in the first place by the vast throng of students speaking different languages, but afterward seems to have been continued for other reasons. Says Lacroix,¹ "From the very beginning a natural division established itself between the young men whom the fame of the great Parisian school attracted thither from all parts of Christendom. The students grouped themselves into nations, and these nations having adopted, by analogy of language, interests and sympathy, a more regular form, there were but four nations, that of France, England, Normandy and Picardy." The French nation included all the south of Europe and as far north as Paris; the English nation was comprised of students from Great Britain and Germany; the Normandy nation embraced the province of that name; and the nation of Picardy gathered under its wing the young men from the north-eastern border of France. Each nation was separately organized with its own faculty and proctor. The four proctors elected a rector, and the five together constituted the grand council of the university. But each nation was a separate corporation, having its own seal, patrons, church and dormitories, and the entire management

¹ Science and Literature of the Middle Ages, p. 7.

of its own affairs. Buildings had to be continually provided to accommodate the increasing swarms of pupils. We read at last of eighteen large and eighty smaller colleges—that is, foundations in which a few masters and their pupils might live and keep soul and body together on four to eight sous a week. The most famous college of all, the Sorbonne, owed its name and its origin to the liberality of Robert Sorbon, chaplain and confessor of Louis IX. By letters patent in 1250, a house and stables, situated in the Rue Coupe-Gueule, was set apart for use of a certain number of needy youths. This house or college, rebuilt, enlarged and richly endowed by Cardinal Richelieu, became at last the famous seat of the faculty of theology.

The students collected from all parts of Europe, and freed, by the special privileges of the university, from all control of the police, thronging the Latin quarter on the south of the Seine by tens of thousands, and equalling in number one-third of the inhabitants of the city, soon attained an unenviable character for turbulence and disorder. Bloodshed was frequent among them. There were sad riots between the students and the citizens. A picture of the period represents a truculent “Berbuggher” with a sword girt at his waist, and another as long as himself resting upon his shoulder. If we may trust the epithets which they bestowed on each other, the English were cowards and drunkards, the French proud and effeminate, the Normans boastful and deceitful, the Flemish bloodthirsty and vagabond. But this is hardly to be regarded as a fair statement. It sounds more like caricature, with some suspicion of truth behind it. They were fond of chaffing, as all students have been in all ages. The professors at Paris and elsewhere nearly all bore nicknames, intended partly for compliment, and partly, it is to be presumed, for burlesque. Thus Colonna was the fundamental doctor, Scotus the subtle doctor, Alexander of Hales the irrefutable doctor, Francois de Maynonis the enlightened doctor, Durand the very resolute doctor, Charlier de Gerson, chancellor of the university, the evangelical doctor. The university, fondly styled the “eldest daughter of the king,” was a very unmanageable daughter, and frequently rebelled against the paternal authority. It was poor but proud, and very sharp in defense of its privileges. The students of Montaigne College, on Mount St. Genevieve, had a saying, “Mons acutus, ingenium acutum, dentes acuti” (a sharp-pointed mountain, a sharp mind, sharp teeth), which would have answered equally well for the whole university. The course of study was a series of lectures in the Latin language, then universally

employed by learned men. It is succinctly stated in the following verse:

“Lingua, tropus, ratio; numerus, tonus, angulus, astra.”

The first three formed the *trivium*: grammar, rhetoric, logic; the last four formed the *quadrivium*: arithmetic, music, geometry, astronomy. The student who had mastered all these branches was regarded as a prodigy of learning. The majority were content with the trivium, that being the best preparation for the further study of theology or the canon law. Bachelor being old French for a young man, and bachelette for a young girl, the youthful graduates were appropriately called bachelors of arts; and young lady graduates, if there had been any, would have been bachelettes of arts. The regular course occupied three and a half years, but it required sixteen years to attain the diploma of a doctor of divinity.

The scholastic philosophy was in vogue at this time, a philosophy based mainly on the works of Aristotle, which had descended through an Arabic translation. It was divided into the two great factions of Nominalists and Realists, the former of whom maintained that genera and species are only classifications made by the human mind, having nothing actually correspondent to them in nature; the latter affirmed that genera and species are eternal ideas, existing as entities in the Divine mind, before anything was created. Abelard was the most famous Nominalist, Thomas Aquinas the most celebrated Realist. A sketch of these two great doctors, and of their method of teaching, will appropriately close our description of the medieval university.

Peter Abelard was born at Palais, a village near Nantes, in Brittany, in A. D. 1079. As the eldest son of a noble family he was entitled to the estate, but, having a taste for study, he made over his right of primogeniture to a brother, and entered a monastery of the Order of St. Benedict. In those rude times the habit of a monk, or the cassock of a priest, were the only protection to one of scholarly predilections. Under such famous masters as Roscelin and William of Champeaux, Abelard soon exhausted all the slender learning of the time. He wrote and spoke Latin with freedom and elegance; the logical categories were familiar to him, and all the subtle arts of disputatious rhetoric by which victory is won on any side of any topic, without regard to truth or fact. Abelard, in addition to unusual abilities, had all the qualities native to his race. He was a true Breton, arrogant, impetuous, self-willed, fertile in expedients, fond of disputation. At the early age of twenty-two he established a school in rivalry

of his teacher, and soon drew a multitude of pupils to the quiet cloisters of Notre Dame by the boldness of his speculations, the elegance of his style and a novel disposition to inquire into the reason of things. Here he grew into reputation and influence. He possessed all the qualities which were then most admired—was loved and feared as a knight-errant of the schools. It was the mighty impulse of his lectures which enlarged the small cathedral school of Paris to the proportions of a university. For eighteen years Abelard lectured to continually increasing throngs of young men from all parts of Europe. Many famous men were among his pupils. Pope Coelestin II., Peter of Lombardy, Berengar and St. Bernard caught the inspiration of learning from his eloquent lips. So far all had gone well. It seemed as if any position in the gift of the Catholic Church might be within his reach. But, unfortunately, temptation came in the path of the brilliant young professor, and proved his ruin. He retired from the university and his further history does not concern the present subject.

But other professors took his place. The lecture halls were crowded as usual, and the University of Paris grew stronger every year. The most famous treatise of Abelard reposed quietly in manuscript for seven hundred years. It was within the present century recovered and published by the French philosopher, M. Cousin. It is entitled "Sic et Non" (So and Not), and is probably a very fair illustration of the methods of medieval teaching. It consists of a series of propositions upon a great variety of subjects, and their contradictories. Each proposition and the opposite is supported by numerous quotations from Scripture and from the fathers, and the whole thus becomes an arsenal, filled with material for disputes on both sides of each question. The following are examples of some of the questions proposed in this singular treatise; the original is in Latin, of course: That Deity is tripartite, and the reverse; that the Son is without beginning, and the contrary; that the eternal generation of the Son can be understood, and not; that nothing happens by chance, and the reverse; that we ought not to lie for any cause, and the contrary; that it is lawful to kill a man, and not.¹ This daring philosophy attempted to comprehend the Divine nature through human reason. It ranged through all the universe. As the Council of Sens reported to Rome of Abelard: "He ascends up into heaven; he goes down into hell." Its method is indicated by the saying, "By doubt we come to inquiry, by inquiry we arrive at truth." Its spirit appears in the dictum of Abelard, "Noth-

¹ Farrar's Hist. Free Thought, p. 82, note.

ing can be believed unless it is first understood, and it is ridiculous to teach others what neither they nor we are able to understand."

We turn gladly from the history of a brilliant, but heretical and unfortunate, professor, to an account of the very cream and quintessence of all medieval teaching, the doctor doctorum, doctor angelicus, fifth doctor of the church, and whatever was most admired and complimented in that day. St. Thomas Aquinas, for six years a professor in the University of Paris, and afterward a famous lecturer at Naples and Rome, was born in 1224 (or 1227, for the accounts vary), of the noble family of the Counts of Equino, near Naples. He was related by blood to the German imperial family, and to the King of France, St. Louis IX. Entering the Order of the Monks of St. Dominic, notwithstanding the opposition of his family, he was sent to Cologne to learn whatever might be taught by Albertus Magnus, then in the zenith of his reputation. So retiring and taciturn was his disposition that his lively school-fellows dubbed him "the dumb ox of Sicily." Doctor Albertus, hearing the taunt, replied: "When this dumb ox begins to bellow all the world will be constrained to listen." Thomas began to lecture at Paris at the early age of twenty-four. His abilities commanded immediate attention. Here was an eloquent and orthodox expounder of the subtlest mysteries of the creed. The Pope was delighted. The Dominicans idolized him, and surnamed him *Definitor fidei*. The students took notes with eager avidity, and fondly hoped they understood him. He was invited to court by his cousin, the King, but was not very courtly in his ways. Once at table, after a fit of abstraction, he suddenly burst out: "*Conclusum est adversus Manichæas*," much to the astonishment of King and nobles. On a visit to Rome, being in the closet with Pope Innocent IV., an officer brought in a large sum of money, obtained by the sale of absolutions and indulgences. "You see, young man," said the Pope, "that the age of the church is past in which she said, 'Silver and gold have I none.'" "True, Holy Father," replied the angelic doctor, "but the age is also past in which she could say to a paralytic, 'Rise up and walk.'" A wittier or more scathing reply has seldom been uttered. Thomas died at the age of forty-eight, in the odor of sanctity. Of course, his tomb supplied the requisite of miracles, and he was canonized by John XXII. Among the stately doctors of the church he stands the fifth. Ambrose, Augustine, Jerome, Gregory and Thomas Aquinas, have attained the highest honors of all the Catholic theologians. His *Summa Theologiæ*, in seventeen volumes folio, double

column, fine print, was, until the Reformation, the standard for all Western Christendom, and is still the standard of Catholic doctrine. Cool, calm, with an appearance of judicial impartiality, it weighs all questions with the acutest subtlety, and gives decision on the most impenetrable mysteries with an air of infallibility.

St. Thomas Aquinas was a realist—that is, according to him universals or genera and species are actual entities. They exist *ante rem*, *in re post rem*. The essential idea of anything, as eagle, lion, man, existed from eternity in the divine mind, exists as a formative principle in the individual eagle, lion or man, and exists also in the mind of the philosopher who has abstracted or conceived the idea of them in his study. We can understand the mysteries of the Christian faith to a certain extent, but for the rest a supernatural illumination is needed. Faith precedes knowledge. *Credo ut intelligam*. His dialectic is powerful, his distinctions are microscopically ingenious. It is doubtful if we can now catch his meaning. Does any one really, for instance, perceive the distinction between an entity and a quiddity? Can we distinguish a universal in the thing from a universal after the thing? Or what shall we say of the following: “An angel is composed of action and potentiality. Angels have not naturally a body, but they may assume bodies. Many angels cannot be in the same space. The motion of an angel is a succession of his different operations,” and so on through three hundred and fifty-eight propositions on angels.

It is this amazing and impossible subtlety which called out the ridicule of Martinus Scriblerus, who inquires whether angels can pass from one point to another without going through the intermediate points, and how many angels can dance without jostling on the point of a needle? ¹

The medieval culture was acute, ingenious, powerful, but lacking in practical adaptation to a world of sin and sorrow. While the doctors were disputing in the schools the nature of angels, the popes and bishops, kings and lords, were cutting each other's throats and oppressing the people in a manner the reverse of angelic. The revival of learning consequent upon the destruction of Constantinople and the bringing of Greek manuscripts into Italy, and, above all, the great Protestant Reformation, which swept away all these fine dialectics as a housewife sweeps away cobwebs with her broom, gave the world something better and more real to think of. The characteristic

¹ Disraeli, *Curiosities of Authors*, I, 120.

features of the medieval universities disappeared with the society to which they owed their origin. After a century of cruel strife and confusion the modern world appeared above the waters, and at last emerged, in complexity and grandeur, the modern university system.

III. MODERN UNIVERSITIES.

The modern university system naturally divides itself into three branches—the English universities at Oxford and Cambridge, the German universities, and the American university system. The first two of these branches have been accurately and fully described in Brister's "Five Years in an English University," and in Hart's "German University." They need not occupy us now, save as we may refer to them for purposes of comparison. We concentrate our attention upon what is of most interest to us, namely, the American University. By the report of the United States Commissioner of Education there are 500 or 600 institutions claiming the rank and style of colleges, or universities; for in America the names are as yet used somewhat indiscriminately. Of these, perhaps, 300 may be fairly entitled to the appellation. Of this number 170 admit both sexes on equal terms, 125 admit only men, and 5 women only. The whole number of students is upward of 25,000, of whom about one-sixth are women. Of course, the majority of these institutions are small, but they have large expectations, and in many cases there will be, undoubtedly, large fulfillment. Taken as a whole, they constitute a magnificent educational system. In connection with the public schools, academies, professional and technical institutes, they furnish the youth of America with opportunities for culture and improvement adequate to the needs of all, except a very select few. The latter may well supplement their home studies by special courses in Germany; but for the immense majority of American youth the education they need to fit them for highest success in life is given at home. The American university is the best place for American boys. Those parents make a grave mistake who expose immature youth to the temptations to idleness and dissipation which abound in a European university. A mature man, who has graduated at some American university, and who desires to pursue some special study as a post-graduate course, may find advantages in the libraries, or lecture-rooms, or laboratories of Germany, which are as yet unattainable in this country. But the latter are ill-adapted to the age or wants of the greater number of those who would enter an American university.

The American system is, in its origin and principal support, Christian. The motto of Harvard is, "For Christ and His Church." It bears the name of a Congregational minister, who "dreaded to leave an illiterate ministry to the churches." The first course of study had for its chief requirement "to read the original of the Old and New Testaments into the Latin tongue," and the undergraduates were compelled to repeat sermons *memoritu* on occasion. Although the college has drifted as far from its original design as its undergraduates have from any knowledge of Hebrew, yet the endowments remain a perpetual memorial of Christian munificence. The same is true of all our principal colleges, except the few which have been founded by the State. It is estimated that one-half of the students, or about 13,000, are nominally Christian. A majority of the professors are connected with the various churches. Frequent revivals show a tenderness in regard to spiritual truth within their walls, and furnish an unfailing supply of candidates for the ministry and a powerful leaven of Christian influence for the State. If there is one important college founded by infidels and maintained by infidels, where is it? Girard is a possible exception; but usually such fruit does not grow from infidelity, but from belief and Christian self-denial. The American university has been put on its defense of late years. It has been charged with being unpractical, obsolescent, unsuited to the needs of the age. It is admitted that the system is well adapted to fit men for the learned professions, the ministry, medicine and law, but it is accused of even impeding future success in other lines of life. Those, however, with whom this objection has weight must have forgotten that the curriculum has been materially modified within twenty-five years. An immense expansion of the course of study has been introduced. The ancient classics no longer hold any exclusive prerogatives. Science is taught in all its branches; all modern languages—even Chinese—literature, art, agriculture, engineering, metallurgy, mining, are a part of the university courses. One has only to decide his specialty to be fitted for any career. With all its narrowness, moreover, the old curriculum did remarkably well. It remains to be seen whether the new methods are really an improvement.

It would be difficult to conceive the history of New Hampshire apart from Dartmouth, or of Massachusetts without Harvard, or of Connecticut with Yale left out, or of New Jersey severed from Princeton, or, in fine, of any of our older States without their principal universities. The college men of the United States have, collectively, exerted an

influence out of all proportion to their numerical strength. They are picked men, with special training, and differ from the generality as a regular army differs from a mob. So long as they are Christian, it is difficult to exaggerate either the importance or the beneficence of our universities.

When we compare the modern with ancient and medieval universities, the essential difference seems to be that the former deal more with facts, the latter with words. The University of Athens excelled in the cultivation of an exquisite and finished style, both of speaking and writing. In this it has probably never been surpassed. The medieval universities trained subtle dialecticians, whose proud boast it was to hold the field of dispute against all comers. The modern university holds within its range of observation all history, all science and all languages. Giving a measure of attention to rhetoric and philosophy, it is more largely occupied with the broad interests of life and nature. In this, however, lies a certain degree of danger, for it tends to cultivate what Charles Lamb calls a kind of superficial omniscience. The remedy lies in specialization of studies. No one student should attempt more than two or three lines of study. It is better to know a few things well than many things poorly. The limits of study need not be so narrow as in former times, but it might be well if our students would imitate the thoroughness and finish of the older universities.

WILDER SMITH.

THE TRANSCENDENTALISM OF NEW ENGLAND.

THE American mind is intensely practical. Its forte lies in the direction of mechanical invention and the manipulation of the material. It fabricates knives and forks, sewing machines, steam ploughs—also institutions. Its achievements are great in the records of the Patent Office. In the annals of commerce it holds a prominent place. As a last invention, it has just given the phonograph to the world. It is said that a piece of iron worth 75 cents can be converted into table cutlery worth \$180; into watch springs worth \$2,000, and into hair springs worth \$4,000. In effecting such transformations as these the American genius is conspicuous. Given a raw material of

indefinite possibilities, such as India rubber or gutta-percha, and before many months go round it is found as an article of convenience on the breakfast table; it is sewn as buttons on our coats; it contributes to the comfort of the traveler in the railway carriage; of the invalid on the sick-bed; of the wounded on the battle field. Inheriting the Roman capacity for organization, the American mind, also, manages corners in Wall street; institutes gigantic undertakings in the West; it invents express systems and mercantile agencies, and, in its great experiment of national self-government by the people and for the people, it is helping to show the world how to unite liberty with law in administering the affairs of nations.

Thus distinguished in the line of practical interest, the American mind is comparatively weak in the region of ideas. Without undervaluing culture, it has scarcely produced one first-rate thinker. That meditateness of mind and patient, plodding study, which have produced such results in Germany, seem scarcely in accordance with its genius. On the Mount Blancs or Mount Hookers of spiritual contemplation, the air is rather thin for its robust organization. Engaged so much with the measurable and the ponderable, and developing the material resources of the country, its interest is not great in that which cannot be seen and handled. The sensible, rather than the rational, horizon bounds its vision. Even in education, as Emerson says, the aim is less culture than equipment, less development of faculty than the furnishment of the individual for some special work in life.

And yet, some forty years ago, there uprose in New England about the most remarkable manifestation of Idealism that modern history can show. Into this region Transcendentalism imported its bit of Oriental sky, and called men to admire the constellations it contained. And the peculiarity of this movement lay in the fact that, instead of offering ingenuities of speculation addressed to the few, it was a powerful, practical influence, operating on the minds of the many. Its auroal lights of splendid promise awoke something of enthusiasm, especially among the young. It exercised a powerful moral influence, calling to manliness and high aims, and to its call many responded. It colored the religion of the day; to many it was in itself a religion.

Before attempting to describe the characteristics of this Transcendentalism, it may be well for us to take a glance at circumstances and influences tending to its production. It is said that when a fire occurs out in the forest the winds immediately carry in abundant germs of life, and cover the earth with vegetation till then partly unknown in the

district. And among the causes of Transcendentalism, some may be compared with the burning of the forest, some with the incoming germs of life; some are the remoter occasions, preparing the way; others may more properly be denominated causes. Among the former we would give a prominent place to the following:

The decadence of the Puritan spirit. The stern Calvinism of New England, with its gloomy views of life and its severe intolerance, had in a great measure passed away, or experienced changes that amounted almost to a transformation. The severity was toned down; the knobs and angularities rubbed off. The moral earnestness still remained—the conception that righteousness is highest of all things—but it had largely gone over and become Unitarianism. The rigid views of parental authority, with which Puritanism was identified, disappeared entirely, and a greater place was given to sunshine, joy and liberty. Thus the shadows were lifted, and as Puritanism lost ground and no longer solved to the public satisfaction the great problems of life, a vacant place was made which Transcendentalism aimed to fill. A new religious philosophy seemed to be wanting, and this philosophy the new movement aimed to supply.

A second cause ministering at least negatively to Transcendentalism was the proven insufficiency of the old sensational philosophy. This philosophy, whose great apostles in England were Locke and Hartley, held the place of honor throughout the whole eighteenth century, and did more to explain the characteristics of that century—its superficiality, its scepticism, its materialism, its barrenness—than any other influence whatsoever. Proceeding on the principle that all knowledge comes through sensation, it proved inadequate to the treatment of the deeper questions, as the will, emotion, conscience, the religious nature; and in its attempts at their explanation it simply degraded or denied that which it undertook to explain. Especially when it spoke of conscience, and tried to account for it as an elaboration from experiences of pleasure and pain; when it went beyond the question, "What is the right?" to the further question, "Why should its mandates be obeyed?" it betrayed unmistakable incompetency by appealing to mere selfish considerations. This philosophy has always gone, more or less distinctly, in the direction of materialism and low aims; of selfishness in morals and scepticism in religion. As summed up in its worst representatives, it boldly taught that the aim of life is happiness, and that happiness is to be largely identified with mere physical enjoyment. And when the "Moral Philosophy" of Paley, with its well-

known definition of virtue—"Virtue is the doing good to mankind in obedience to the will of God and for the sake of everlasting happiness"—when this work became an accepted text-book in the great universities of England and received the approbation of high-church dignitaries, it was time to show that there was something higher than any balancing of selfish considerations; that, in fact, it is only when selfish considerations are trampled on that true virtue can be said to begin. As early as 1829 Emerson says, speaking of a sermon he was writing, "I am striving to-day to establish the sovereignty and self-existing excellence of the moral law in popular argument, and slay the *utility swine*." Within certain limitations the philosophy of utility is valuable, but the sensational system, with which it is generally connected, takes the sunlight of the soul and reduces to something poor and paltry the highest sentiments and purposes possible to man. Like Epicureanism, its influence went to paralyze conscience.

In the decline of the Puritan movement, and the decadence of this sensational philosophy, the encumbering forest of the past was cut down, allowing opportunity for new growths, and, among these growths, was Transcendentalism. The period we are referring to—that of the first quarter of this century—was, as Emerson has shown, one of great unrest and agitation. "No one can converse much," says he, "with different classes of society in New England without remarking the progress of a revolution. * * * This spirit of the time is felt by every individual with some difference—to each one casting its light upon the objects nearest to his temper and habits of thought; to one, coming in the form of special reforms in the state; to another, in modifications of the various callings of men, and the customs of business; to a third, opening a new scope for literature and art; to a fourth, in philosophic insight; to a fifth, in vast solitudes of prayer. It is in every form a protest against usage, and a search for principles. In all its movements it is peaceable, and in the very lowest marked with a triumphant success. * * * It has the step of fate, and goes on existing like an oak or a river—because it must." And among the movements urged on by the temper of the times, not the least remarkable or prolific of results was that one we are now attempting to portray.

The temper of mind out of which Transcendentalism directly came is called the mystical—the contemplative—whose organ is intuition, and whose aim is immediate union with God. Sometimes this union is sought through emotion, and then mysticism issues in some form of

the pietistic or meditative life—in the ecstasy of the Neoplatonists, and the quietism of Madame Guyon. Then the union is sought through the intellect and the possession of divine ideas, and under the pressure of this tendency, mysticism, produces a philosophy more or less pantheistical, or what is generally called a theosophy. The mystic of both these types, the Indian Yogi, dwelling in contemplation, the Persian Sufi, Saadi, Plotinus, Erckhart, Bohme, Schelling, Lord Herbert of Cherbury, all accept a theory of knowing and being that is substantially of the transcendental type, and without their previous existence probably Transcendentalism could not have been. The dominant conception of all is that of an omnipresent spirit, overflowing into every nook and cranny of creation, and in communication with the mind of man, offering inspiration and the indubitable in truth.

Transcendentalism grew into a movement principally through the writings of three men, Coleridge, Carlyle, and Emerson. Coleridge, the earliest in time, was rather a psychological curiosity. A remarkable poet, a profound or a muddy philosopher, a passionate devotee of high-church orthodoxy, which he held on the ground that it was the perfection of reason, he accomplished much; and yet, considering his genius and the works he was always projecting, he seems to have accomplished nothing. He was always preparing to do something great, but the great thing was never done. With laborious perseverance preparing the apparatus that he might look out for the new star, the new star was never seen. And yet, with his mystic utterances, his occasional flashing of light into the heart of deep questions, he was a powerful influence on the religion of his age. His special signification to us lies in the fact that, importing into England the results of German metaphysics, he taught that men possessed a faculty for apprehending truth superior to the intellect by which they have direct cognizance of supersensible things. This reason, as he names it, lying behind all processes of reasoning, corresponded very much with the intuition of the German philosophers, and gives us knowledge of basal, indubitable truth. Thus Coleridge made a departure in the direction of a profounder and more spiritual philosophy, and by his varied utterance of the one principle, and his stimulating conversations and writings, did much to produce the belief that the views he taught contained in themselves great possibilities of reconciliation and illumination.

Carlyle was a more powerful personality, and in his early enthusiasm, a certain fascination he threw over life, and his wonderful appeals

to the manliness in man, became a teacher and an inspiration of no small importance. He did for German literature generally what Coleridge did or attempted for German philosophy, and made its poets and thinkers—Novalis meditating under the starlight, Richter with his exuberant imagination, Herder, Goethe the many-sided—known to England and the English-speaking nations. A preacher, too, on his own account, he taught the nearness of God, the supremacy of the divine laws, religion as a present communion with the Infinite and Eternal. He belongs to the company of the idealists; he emphasizes intuition; oscillating between the two great schools of mysticism, he taught now that self-development, and again that self-renunciation, is the realization of the divine. With withering scorn he branded the materialism of the age, the selfish spirit of the old philosophers and moralities, and in a living religiousness, and a brave assertion of the immutable moral law, recognized the divine meaning of life.

But the leader of the Transcendental movement was undoubtedly Emerson. Born in Boston in 1803, of a good New England stock, his ancestors to the sixth generation being clergymen, Emerson was brought up under good influences intellectually and morally. At Harvard he is remembered as a shy, gentlemanly young man, attentive to classical study, and with some faculty in the way of elocution. Educated for the ministry, and for a term settled in Boston, his qualities in the pulpit were a certain grace of style, a most musical voice and a simple directness of teaching that were charming. Through his college and ministerial days, however, he is learning something that seems to disqualify him for the work of the Christian ministry. He is studying Plato, Platinus and other representatives of that school; the works of Marcus Antoninus are found often in his pocket during his college course; the good Saadi "who dwells alone" has for him a strange fascination; he delights in the writers of the Elizabethan era—in Swedenborg and Bohme; in the English latitudinarians. After a time he leaves the pulpit and retires to the home of his family in Concord; and there, in the companionship of books, enjoying country life, learning of solitude, writing, lecturing, he spent his life. Whether his idealism came from natural proclivity or from the influence of books, or both, it were not, perhaps, easy to say. Vaughan, in his "Hours with the Mystics," says of mysticism that it has no genealogy; instead of being transmitted by teaching, it grows spontaneously in a certain temperament of mind. Be this as it

may, Emerson leaves behind him considerably the religion in which he was educated, and among the contemplatists of the world, the theosophists, the trismegisti, the illuminati, he finds his religious home.

Transcendentalism as a visible movement began in 1836, with the publication in America of Carlyle's "Sartor Resartus." In this volume Emerson prefixed a recommendatory notice, in which he says that "the philosophy and the purity of moral sentiment which inspires the work will find their way to the heart of every lover of virtue." Previous to this time, no doubt, the new philosophy found individual supporters here and there. Dr. Channing went deeper than experience for the foundation of his faith, and believed in real communion, with a present God. Dr. Hedge and President Walker, of Harvard, found avenues to truth not recognized in old systems, and, accepting the revelations thus obtained, went on their way rejoicing. But only in 1836 did Transcendentalism attain to the dignity of a movement. Then it first came to attract much attention and to dictate a characteristic method of thinking and speaking. Then men began to talk Carlyle; they were at home in the infinities and eternities; a new valuation, in theory at least, was placed on silence; there was a prevailing disposition to use plain language, and call a spade a spade. In the universities the spasmodic English of the students disturbed the equanimity of the professors of rhetoric. Among the young generally a conviction began to grow that a new era was coming on. C. T. Congdon says of the movement that, while expressing itself in eccentricities and absurdities of various kinds, it amounted to a kind of hobbledehoy aspiration after manliness. When Emerson then came out of his seclusion in Concord to assume command of the movement it had made considerable progress. Some, no doubt, laughed; some denounced. John Quincy Adams said that the transcendental message simply amounted to this—that the old doctrines are superannuated and worn out, and that the revelations to supersede them are coming. But the young generally responded with enthusiasm. J. R. Lowell says that the course of lectures delivered by Emerson in the Masonic Hall in Boston, in 1836, constituted an era in the life of many a young man. The Harvard students came in almost in a body to hear the new teacher, and went home, under the starlight, on foot. After hearing one of these lectures Dr. Channing's daughter, Mary, exclaimed: "After hearing Mr. Emerson I think I can sin no more." The elevation of the tone and the novelty of the teaching, and the trumpet-call uttered to a noble life, even the enigmatic language that awakened

curiosity, translated many into a new region, in which they found much to wonder at and much to inspire. J. F. Clark says two things came out, stimulating in the teaching—self-reliance and God-reliance.

Before glancing at the future and the fortunes of Transcendentalism, we may look closer at it to see what it means. Not a very easy task. Some things admit of a ready definition. They are a simple substance, or an easily identified fact. Others comprehend in their totality a miscellaneous variety of attributes, or constituents, and can only be defined by description. Any one could define a spade; but could he with the same facility tell the essential element in civilization? And as many-sided as civilization, as capable of reflecting a different look from a variety of angles, is Transcendentalism. Goethe was once asked what was the central idea in "Faust," and he replied, "It has none;" and then he added: "I am of opinion that the more incommensurable and incomprehensible to the understanding a poetical production is, the better it is." And a certain incommensurableness belongs to Transcendentalism. What Emerson said of the mountain may be said of it—instead of being one thing it is a hundred things, according to the position and temperament of the observer. In virtue of this multifariousness, the first Transcendentalists were satirically called the "Like-minded"; and when Emerson defines the new philosophy, he is taken to task by Frothingham, the historian of Transcendentalism, and the definition given by Frothingham in its turn is disputed by Dr. Osgood, his critic, in the "International Review." Yet the mountain is still a particular thing, independent of the observer, and can definitely be measured and mapped out. So is the phenomenon we are now endeavoring to describe.

As to the name "Transcendentalism," how it came to be applied to the New England idealism no one knows. At any rate, in a certain sense it is appropriate, though in some ways it is unfortunate. The word had a certain meaning in the philosophy of the Middle Ages, describing classes of things not comprehended in the categories of Aristotle, yet it is not from the Middle Ages, but from the philosophy of Kant, in which is described one department, that it obtained its signification and use as a recognized English word. With Kant the transcendental department concerned itself with those fundamental beliefs and ideas that are independent of observation, and come to us guaranteed by the very constitution of the human mind. And the mingled appropriateness, and yet unfortunateness, of the term lies in the fact that it carries with it a fine flavor of German metaphysics,

and suggests a traveling out into regions bounding at least on the mystical and unintelligible.

The definition of Emerson, referred to as criticised by Frothingham, is the following: "This mode of thinking (the ideal), falling on Roman times, made stoic philosophers; falling on despotic times, made Catoes and Brutuses; falling on superstitious times, made prophets and apostles; on popish times, made Protestants and ascetic monks, preachers of faith against preachers of works; on prelatic times, made Puritans and Quakers, and falling on Unitarian and commercial times, made the peculiar shades of idealism that we know." This description, unsatisfactory, perhaps, because not descending sufficiently to particulars, brings forward two characteristics we believe important in Transcendentalism—the essential element, *idealism*; the specific difference, an idealism suited to practical, commercial and reformatory times. To each of these we call attention.

This idealism, however varied in form, is well known in essential features. It recognizes in the human mind a certain capacity of apprehending directly supersensible truth, and of communicating directly with the spiritual world. Instead of the roundabout and precarious method of observation, it takes the high *a priori* road to truth presented by intuition. Whilst materialism would depress everything into matter, and in the action of the moral sense see only a disturbance in the molecular constituents of the brain, it believes only in spirit and in the spiritual aspects of things. Conscience is to it no elaboration from experience, but a light kindled by the spirit of God, and in its announcements it gives revelations from the empyrean. The soul is the crown lily, the edelweisse of creation; it is a microcosm, containing a small universe in itself, not without its constellations, and in communication with the oversoul it finds its life. Eternity, instead of being looked forward to in hope, is a present reality; we live in the centre of eternity now. And, throughout, the tendency of idealism is in the direction of aspiration and enthusiasm; it believes in mystery and miracle; it sees in all things a contribution to the solution of the great problems of existence; it speaks in the superlative degree. Private fancy it may mistake for revelation, and many an interest unquestionably important it may despise, yet its aim and spirit are high. It proclaims the value of ideas; it throws a splendor over duty; it announces the categorical imperative; it awakens an enthusiasm for the beautiful and true and good, identifying all these with God.

This, we reckon, is Trancendentalism generically; the specific difference lies in the fact that the idealism it comprehends is not Oriental, taking the soul away into solitudes of profitless contemplation; not sentimental, finding in emotion the point of union with God; nor speculative in any sense, but essentially practical and reformatory. It may go into solitude and deal with the deepest questions that could occupy the mind, but the aim is to confer additional grace and nobleness on life. George Gilfillan says, rather funnily, of Emerson that he prefers "to stray to and fro along the crooked serpent of eternity," but his business at the same time was very intelligibly with the things of time. The "news he brought from the Empyrean" bore on the meaning of life, and had a lesson for the common week-day world. As Emerson himself says in one of his most beautiful poems:

Think me not unkind and rude,
That I walk alone in grove and glen;
I go to the god of the wood
To fetch his word to men.

Tax not my sloth that I
Fold my arms beside the brook,
Each cloud that floated in the sky
Writes a letter in my book.

Chide me not, laboring band,
For the idle flowers I brought,
Every aster in my hand
Goes home laden with a thought.

Wherever the head of the poet might be—in the clouds, if you choose—his feet ever stood on the solid earth. And among his followers we find the same interest in human culture and improvement. In those memorable conversations of hers delivered in Boston, Margaret Fuller might discourse on art and Grecian mythology, but the real topics never lost sight of were culture and the ennoblement of character. Mr. A. B. Alcott not unfrequently runs his head against a post, and is often found in depths which he cannot fathom, but in all his wanderings he is gathering simples for the cure of human ills. Lowell says of Thoreau, that only when a thing became useless did it present any attraction to him, yet the desire to reach higher than ordinary levels dictated his love of the simplicity of rural life. What Carlyle called the "potato philosophy" of Alcott, the shanty building of Thoreau, the experiment of Brook Farm, and the interest of the Transcendentalists in the question of slavery and the emancipation of

woman, all attest the practical character of the idealism which we are describing.

Nay, it is more than practical—it is a stern reaction against prevailing maxims and ways, against materialism, formalism and utilitarianism in its lower aspects, and therefore reformatory. With almost a Calvin preference for dark shades, Emerson pictures the comprehensive, almost total, depravity of existing manners and institutions. Men were immersed in sense; accumulating the materials of life, they forgot to live; they garnished the tombs of the fathers and neglected the living calls of to-day. “’Tis the day of the chattel, web to weave and corn to grind; things are in the saddle, and ride mankind.” As in the days of Sir Walter Raleigh, the soul’s errand to man was one not of compliment, but of condemnation.

Go, soul, the body’s guest,
Upon a thankless errand;
Fear not to touch the best,
The truth shall be thy warrant;
Go, since I needs must die,
And give them all the lie.

And as an antidote to this comprehensiveness of evil, what is presented? Not the favorite nostrums of religion—revivalistic enthusiasm, or faith, or prayer—but culture generally, the revelations that come to the soul from the present spirit of God, and especially solitude and a return to the simplicity of arcadian life. An exaggerated importance is attached to the influence of scenery. “All my hurts,” as Emerson says,

My garden spade can heal. A woodland walk,
A quest of wild grapes, a mocking thrush,
A wild rose or rock-loving columbine,
Salve my worst wounds.

Fresh air and simple living and innocent surroundings were to bring round again the era when angels were morning and evening visitors, and the gods communed familiarly with men. Alcott seemed to think that the devil might be exorcised by well-regulated diet. Altogether, it was on the principle of lessening the denominator rather than increasing the numerator that the contented, ideal life was to be sought. But, through all exaggerations of unimportant moral remedies, there ran a high spirit and purpose, and many persuasive invitations to the nobler life.

The special form which Transcendentalism took is largely due to

Emerson. That epigrammatic brilliancy, the presentation of truth in compact parcels containing essences and extracts, the serene equipoise in the region of ideas, the retreat from the artificiality of towns, the contempt of argument, the association of things remote by the filmiest of relations, and the wondrous elevation of tone, all these are his. That God speaks inwardly to the soul, and in that gives stimulus, strength and peace, is the essential transcendental teaching; but in many of the messages delivered, the optimism that scarcely sees evil anywhere, the conception that the meaning of any one thing contains the meaning of all creation, his circular philosophy, the union of high vision with devotion to practical realities, we have contributions from Emerson. Much of the substance, and the form generally, came from him.

Quite a breeze has lately arisen on the subject of the imputed pantheism of Transcendentalism. Mr. Alcott has gone about announcing to orthodox coteries, and elsewhere, that he was authorized to say that Emerson is a theist and a Christian theist, and "if you leave out the word *Christian* you leave out everything." The inference generally drawn from this has been that the Sage of Concord is another example of the interesting convert, and from avowed pantheism he has passed on to avowed theism. This assumption has, however, been denied on authority by a member of Mr. Emerson's family, and by Mr. Alcott himself, in a letter to the present writer, and we only glance at the subject for the purpose of signaling what we consider a defect and indeed a contradiction in the ethical teaching of Transcendentalism. Pantheism teaches that there is one agent in all creation—in the movement of the star, in the blowing of a flower, in every noble and every depraved act of man. It abolishes human responsibility when logically carried out. "Whatever is" to it "is right." And tried by this standard how does Transcendentalism appear? Is it pantheistic? Certainly not, in general terms. Emerson again and again lays the emphasis on human freedom and consequent responsibility, and in the alliance existing between virtue and nature he found almost everything around—winter and summer, the stars, the river, the wood—teaching the ten commandments. He calls the liberation of the will from certain sheaths and clogs the very "end and aim of this world." Yet in reading the works of Emerson we stumble with some dismay upon such sayings as these: "And thus, O circular philosopher, I hear some reader exclaim, you have arrived at a fine pyrrhonism, at an equivalency and indifference of all actions,

and would fain teach if we are true, forsooth, our crimes may be lively stones out of which we shall construct the temple of the true God." To this remonstrance no reply repudiating the imputation it conveyed is given. And in poetry the same ethereal doctrine is taught :

Yet speaks yon purple mountain,
Yet said yon ancient wood,
That day or night, that love or crime,
Leads all things to the good.

Surely this is remarkable teaching, and not easily reconciled with any decent respect for the commands of the moral. If there is a splendor in the noble life, there is a corresponding degradation in the contrary. Without attempting to explain the paradox, or endeavoring to reconcile what appears contradictory, we would name as one of the two capital errors of Transcendentalism as a moral system, that it betrays a deficient apprehension of the sinfulness of sin. Its optimism recognizes no shadows. The "saccharine element" is so universal in nature that it is considered to be equally universal in human life. The doctrine, in fact, so often found connected with mystic religionism, that evil is a mere negation, is accepted, or the doctrine that evil is good in the making and to be characterized at the worst as only an impediment to our progress. The other deficiency of the system lies in its want of sympathy. Developed far away from the world, in the serene heights of contemplation, it scarcely recognized the facts of human suffering and infirmity. Sickness is to it merely an inconvenient fact, to be got rid of as soon as possible; in no sense was it to be considered a moral teacher. Nor are the experiences that draw men to one another in the fellowship of weakness, and thereby soften and humanize, pronounced of any value in the disciplining of human character.

The propagandism of Transcendentalism was carried out by various instrumentalities. Emerson lectured over the country on Reading, and Art and Poetry, and Natural Aristocracy and Society, and kindred subjects. He published three or four series of essays, and "Nature," that wonderful prose poem. The Transcendentalists of Concord and the neighborhood—Alcott, Thoreau, Hawthorne and, not unfrequently, Margaret Fuller—held converse on high subjects every Monday afternoon in Emerson's parlor. The Transcendental Club was instituted, and, meeting in various houses, especially in Boston, discussed Mysticism as an element in Christianity, Pantheism and the American genius. These efforts to promote the new views culminated in a magazine, to which, at the suggestion of Alcott, the name "The Dial"

was given, and which commenced its career in 1840. Of this publication Margaret Fuller was at first the principal editor, but after a time the responsibility of its supervision fell on Emerson, and its principal contributors were the members of the Transcendental Club. Emerson wrote the introductory article, and sent to it some well-known essays and poems of strange mystic beauty, such as "The Sphinx," "The Problems." Alcott entered on a congenial field by the publication of a series of what he called "Orphic Sayings." Whether these fragmentary utterances are to be considered commonplaces of thought invested in an enigmatic garb, or paradoxes more or less effectively disguised, or a genuine upspringing of waters from the deep well of truth, may reasonably be questioned. At any rate, they furnished the reader such information as the following: "God is instant but never extant in his works; nature does not contain but is contained by him; she is the memoir of his life." "Action is composition, thought is decomposition." "Opinions are life in foliage, deeds in fruitage; always is the fruitless tree accursed." Theodore Parker published in the "Dial" some of his finest papers, as his essay on Dörner's Christology and the powerful satire called "The Pharisees of Modern Times." W. H. Channing gave expression, in his characteristic enthusiasm for the ideal in life and institutions, in a kind of philosophical romance called "Earnest the Seeker." Among the occasional contributors were James Freeman Clarke; Dr. Hedge, who sent a fine poem called "Questionings;" Thoreau, who earned his first laurels as a poet in these pages, and Ripley, who furnished the monthly review. The most voluminous of all the writers was Margaret Fuller, who contributed discussions and biographies, more remarkable for length than brilliancy. Her most notable paper discussed the question of woman's rights in an article called "The Great Lawsuit—Man versus Man, Woman versus Woman." The paper was afterwards enlarged and published as a volume under the title "Woman in the Nineteenth Century." The poetry of the "Dial" was remarkably good. Some departments of philosophic speculation go downwards in search for foundations; with others the tendency is to soar aloft, and through the kindling of enthusiasm to blossom into poetry. To the latter class belonged Transcendentalism, which stimulates more than it informs. In the "Dial," therefore, we find some remarkable poetry, of rather unusual type, wierd, mystical, full of blue skies and green fields; now and then careless of measure, but full of musical thought, and that thought conveying the poetic aspects of Transcendentalism itself.

The principal writers in this department were, in addition to Emerson and Thoreau, C. P. Cranch and William Ellery Channing, nephew of the more famous Dr. W. E. Channing.

One outcome, partly of the hopes kindled by Transcendentalism, and partly of the reformatory enthusiasm of the time, was the curious socialistic experiment of Brook Farm. The age fairly teemed with new ideas and philosophic schemes for the reorganization of society. Robert Owen had been trying his plan for the regeneration of the working classes at New Lanark, Scotland; Saint Simonism, in France, and the plan of Fourier, of superseding the home by the phylanstery, had not yet demonstrated their incapacity for the purposes intended; societies are formed to carry out the principle of non-resistance; Garrison is commencing to thunder against slavery; the temperance question comes forward for discussion, and Rev. John Pierpont is compelled to leave Hollis Street Church, Boston, for what was called his injudicious zeal against the rum-seller. Great expectations were entertained of what phrenology and mesmerism and homœopathy were about to accomplish. The prevailing idea of the time, in fact, is that by the adoption of certain social panaceas the evils and sins and diseases under which men groan might be effectually encountered, and the millennium that enthusiasts are all looking for might be ushered in. And out of this agitation and expectancy, assisted, perhaps, by a certain impetus given by Transcendentalism, the retreat into primal simplicity, attempted in the Brook Farm scheme, was made.

In this experiment Mr. Ripley, a Unitarian minister of Boston, was the moving spirit. Impressed with the vanity of mere preaching, and desirous of attempting something practical, he sold off his library, and, organizing a company of chosen spirits, purchased a farm in the neighborhood of Boston. They wished, by conducting the whole work of the farm, to give a new illustration of the dignity of labor, and offer an emphatic protest against the artificiality of modern life. With the new movement some of the Transcendentalists were in full sympathy, notably Alcott, who for twenty years had been trying the moral effect of vegetarianism; but not so Emerson. Whilst recognizing the excellent intentions that led to the experiment, he still held to the idea that all true reform must come from the uprising of the individual. Parker felt the incongruity of the whole proceeding, but, notwithstanding, spent an occasional happy day among the philosophers turned plowmen, and the poets who did not disdain the wash-tub. Hawthorne actually went through the drudgery of the farm for

a number of days, and retired with the conviction that if the soul can be buried in money, the soul, also, can be buried in manure. The movement could only have one end. Financially, it ended in disaster; morally, it was a disappointment. After a trial of the new plan of social regeneration for four years, its promoters turned back to the familiar ways of life somewhat saddened, but convinced that the Arcadian methods they had adopted—sowing and reaping—did not necessarily promote the higher life of man.

Transcendentalism as a living movement is largely a thing of the past. It is said of the projectors of the "Dial," forty years ago, that they were all young men; it may be said of the Transcendentalists now that they are all octogenarians. The impulse of the movement has died. If the old bitter antipathies have changed to something of tolerance, the expectations once entertained have proved mostly dreams. The glories of that brilliant morning have faded into the gray lights of common day; and the world goes round on its axis, and day succeeds night, and men sleep and awake, and suffer and do very much as if Transcendentalism never had been. But have no permanent results been left; have no contributions been made to the world's higher wealth, by all that Emerson and Margaret Fuller and Thoreau and Alcott thought and did? We think there have.

Not that at this time Transcendentalism is very much of a power in the field of philosophy. The leading ideas in this department are now the doctrine of evolution as formulated by Darwin; the idea of Spencer that experience deposits results in the texture of the brain, which are transmitted from generation to generation in the form of aptitudes, instincts and intuitions. Whatever the fluctuations in speculation, these principles stand unmoved, and by the light they cast into many dark regions are only increasing in importance. But Transcendentalism furnished no such commanding ideas. If it contained in itself the materials of a philosophy, it was a philosophy never intelligently rendered to the understanding. Brilliant but fragmentary, offering many an individual truth but no concatenated thinking, a series of scattered stars without the firmament that converts them into a whole, it was to a certain extent one-sided, and to the thinker unsatisfactory. Unable, too, in its devotion to ideal methods to discriminate between the fancy of the individual and a general revelation from the deep nature within or behind, it said strange things, and was compromised by the fantastic utterances of its friends. It ran over into exaggerations and extravagances. And

at this time any influence it exercises as a philosophic system it exercises through the writings of Emerson, and by the lectures delivered through the short summer course of study instituted by what is called the Concord School of Philosophy. The school, however, is scarcely transcendental. Inaugurated at St. Louis by two or three persons—Lieutenant-Governor Brockmeyer and William T. Harris in particular—who had organized themselves into a club for the study of German metaphysics, it became transferred to the East, and it is now only transcendental because the place where its lectures are delivered is the Orchard House of Concord, and that the great questions of philosophy are treated by it prevailing from the ideal point of view. Its leaders are Platonists, Hegelians, or mystics, and in its spiritual aim and method it meets Emerson at many points.

But Transcendentalism was par excellence a *stimulus*, and to some extent a revelation, morally and religiously. It purified the air and amplified the horizon. It invited men to bravery and aspiration; and in some way, not easily explained perhaps, cast auroral lights around life. Speaking of Emerson in the early days of his career as a lecturer, J. R. Lowell says: "There is no man living to whom, as a writer, so many of us feel and thankfully acknowledge so great a debt for ennobling impulses." "It is the sound of the trumpet that the young soul longs for, careless what breath may fill it. Sidney heard it in the battle of Chevy Chase, and we heard it in Emerson. Nor did it blow retreat, but called to us with assurance of victory. If asked what was left—what we carried home? we should not have been careful for an answer. It would have been enough if we had said that something beautiful had passed that way. Or we might have asked, in return, what one brought away from a symphony of Beethoven. Enough that he had set that ferment of wholesome discontent at work in us."

In religion Transcendentalism was more than an inspiration; to a certain extent it transformed leading men to look at essentials, it broadened out sympathy, it gave emphasis to the spiritual aspects. Especially, it dismissed the Divinity of the last century, who was represented as having returned after creation into the remoteness of eternity, and to have been a non-resident, as far as the world is concerned, ever since; and it taught a living God, present in every changing day and season, and in the heart of man, and giving immediate revelations intended for you and me. The nearness of God, the authority of the spiritual laws that went on in their course with the relentless-

ness of fate, and at the same time with the beneficence of Providence—inspiration, not mechanical or miraculous, but natural as the sunlight, were its themes. Emerson was neither Unitarian nor Trinitarian, exclusively—thanking God for what was good in both. Margaret Fuller says she was cheated out of a Sunday by hearing Mr. A. “He refused to deny mysteries, to deny the second birth, to deny influx, to renounce the sovereign gift of insight, for the sake of what he called a ‘rational’ exercise of will.” This Mr. A., we believe, was a Unitarian, and fifty years ago scarcely a Unitarian minister could be found who did not sympathize in the opinions he held, and at this day there is scarcely a Unitarian minister who has not, in the matter of insight and communion with God, gone over to Margaret Fuller and the Transcendentalists. A present living God, addressing communications to men in this day, is now the theme of all the churches. And if this is so, and if men care less for the formal and more for the spiritual in religion, and in every good and beautiful act recognize something that is well-pleasing to God—if the sympathies of the churches are broadening, and their influence on life less marred with harsh and disfiguring accompaniments—the result is largely due to Transcendentalism and the causes that made Transcendentalism what it was.

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RAILROAD COÖPERATION.

STIMULATED by the misrepresentations of interested agitators and disappointed or ambitious politicians, aided by the misguided efforts of honest but misinformed enthusiasts, that strong public sentiment which is uncompromisingly opposed to monopoly of all kinds becomes instrumental in retarding the progress of many enterprises which are essential to national advancement.

In nothing is this fact more clearly demonstrated than in the position taken by a large portion of the public in relation to railroad coöperation. By many it has been accepted as a fact established beyond any possibility of controversy that any combination of railroad companies, or any mutual understanding between them regarding harmonious operation of their property, must, of necessity, be antagonistic to the interests of all other classes of the community. This readiness to accept without proof any charge that might be made against the transportation corporations has been so great that the enemies of railroad coöperation have been mainly satisfied with uttering sweeping denunciations against and gross misrepresentations regarding railroad management, and persistently demanding legislative intervention.

Busily engaged with the arduous duties of their responsible positions, the railroad managers have permitted these misrepresentations to be circulated, without making any very great attempt to prove their fallacy. With few exceptions, no effort has been made to justify the policy of railroad coöperation, or to demonstrate its true relations to the public, and the result has been that, in the absence of correct information, many have accepted the misrepresentations of interested parties as accurate statements of fact.

For an impartial consideration of this important subject the following facts should receive due recognition :

(1.) The railroad system of this country represents an aggregate investment of about \$5,000,000,000, on which the investors are entitled to fair and reasonable profits, precisely the same as if it were invested in farming, manufacturing, or mercantile pursuits.

(2.) In the past the railroads of this country have been in the aggregate unremunerative investments, as has been most strongly emphasized by the frequency of foreclosures of mortgages and the complete sacrifice of the common stock.

(3.) While the owners of the railroads have in many instances suffered great pecuniary loss, the public have been in full enjoyment of the benefits resulting from increased transportation facilities.

(4.) In its industrial capacity the railroad system of this country occupies a very important position. According to "Poor's Manual" the working expenses of the railroads during 1880 were \$360,208,495. This immense amount of money was expended for labor and material, and in its distribution its influence was widespread, and it benefited many industries apparently not in the remotest degree connected with railroad operation. No claim is made that in this particular the railroads hold an exceptional position ; on the contrary, it has been cited as one reason why railroads are entitled to the same fair consideration and equitable treatment that any other important industry receives.

(5.) Our country is deeply indebted to the railroads for the great national advancement. Recognizing fully our great natural advantages, the salubrity of our climate, the fertility of our soil and the extent and diversity of our territory, rail communication was needed to enable us to utilize these natural advantages. Our railroads have been the true American pioneers, and to the enterprise of their projectors and managers can, to a very great degree, be ascribed the true cause that enables the American farmer, located in the Far West, to compete in the markets of the world with the grain of other countries—a competition that, during the last seven or eight years, has caused a reduction of nearly 1,000,000 acres in the area of land in Great Britain devoted to the raising of wheat—a reduction of nearly one-fourth.

However, these facts are not presented in extenuation of any abuses that may exist in railroad operation, but to show that the railroads

are entitled to just consideration and equitable treatment from the public.

If any abuses exist in railroad management, the question in which the public and the railroads are alike interested is, How shall these abuses be corrected?

The advocates of railroad coöperation maintain that that is the only remedy which permits of a due recognition alike of the rights of the railroads and the public.

The natural inquiry that follows is, What is meant by railroad co-operation? and what arguments can its advocates present in favor of it, and why do its enemies oppose it?

Railroad coöperation, in its simplest form, is merely a compact between the roads in interest to maintain uniform or agreed rates upon competitive traffic. While it would appear to be so unquestionably to the interest of all the parties to an agreement of this kind to faithfully maintain it in letter and spirit, as a matter of fact it has been found that the desire to secure additional traffic is frequently—it can almost be said invariably—so strong that some concession will be made by one of the roads in interest in order to secure the patronage of shippers who had heretofore shipped by a competing line. Though this concession may be ever so slight, and not literally a deviation from the terms of the agreement, it introduces a disturbing element; for the road from whom the shipper has been enticed cannot, and will not, passively permit its business to be taken from it, but will respond by endeavoring to make reprisals by allowing concessions that are beyond doubt positive deviations from agreed tariffs, offering as full justification of its action the previous action of its competitor. The result is that the agreement is completely ignored by all parties, and a war of rates ensues, accompanied with all the discriminations against shippers and irregularities in rates that are incident to unrestricted competition.

Hence it is found necessary to do more than simply agree to maintain rates in order to secure a rigid adherence to tariffs, and under a more advanced form of coöperation a division of traffic is made between the roads in interest, each road being allotted the proportion of the traffic divided which it is considered it would be able to secure if agreed rates were maintained by all the roads. This division of traffic is made in the following ways: By the division of gross earnings, by the division of net earnings after deducting an agreed percentage for working expenses, or by the division of tonnage.

The settlement of balances accruing under these divisions are made by money payments from the roads in excess to the roads in deficit, or where the division is strictly a division of tonnage the settlement is made by diverting to the roads in deficit a sufficient amount of tonnage to even their tonnage shortage.

The joint accounts are kept and the settlement of balances made through a joint agent, usually termed "commissioner," to whom each road reports all of its traffic that is to be included in the division, or "pool," as it is commonly but erroneously called.

The representatives of the roads meet from time to time to arrange, by mutual agreement, upon proper rules and regulations regarding the business in which they are all jointly interested, and it is the duty of the commissioner to see that the roads all observe the agreements made by them in joint session.

This, in brief, is what is meant by railroad coöperation: Maintenance of reasonable, uniform and permanent tariffs by all roads.

That the adoption of this policy is to the advantage of the railroads everybody will admit, but whether it protects the interests of the community is a question upon which there is a radical difference of opinion between its advocates and opponents.

In support of the proposition that railroad coöperation for the regulation of transportation charges is as much in the interest of the public as it is in the interest of the railroads, and that the charges made against it by its opponents are not founded upon established facts or sound reasoning, the following is respectfully submitted to the intelligent reader:

Railroad coöperation prevents discrimination between shippers.

Discrimination in rates is not always unjustifiable. On local traffic discrimination in favor of certain shippers sometimes contributes toward the greater development of the community dependent upon the railroad for transportation facilities, by encouraging the establishment of new industries that would not be undertaken without special inducements, as at the existing tariffs the new enterprises could not compete with similar establishments which were more favorably located. In such cases the special concessions would be fully as much in the interest of the community as of the railroad.

However, railroad coöperation does not interfere with this class of discrimination. The discrimination which railroad coöperation prevents is that which gives the large or favored shipper the power to

crush his weaker or less-favored competitor. Under a régime of reckless competition the large shipper gets inside rates that enable him to underbid or undersell, as the case may be, competitors who possess a smaller capital. The public justly protest against this course of action. But does it not appear very inconsistent that they should be equally as strongly opposed to the adoption of the only policy that will prevent this unjust discrimination and, at the same time, not obstruct the free and natural flow of commerce? Can it be that the individual shipper does not truthfully define his position, and that he is merely opposed to the abstract principle of discrimination, but has no objection to its application when he obtains the benefit? But it must be remembered that, let a shipper secure the lowest special rate he can, there always remains the suspicion that some competitor has secured a still lower rate. Would it not be better if a uniform and reasonable rate was charged alike to all shippers under like circumstances, and all uncertainty and distrust concerning transportation charges eliminated from commercial transactions? And if this desirable result can be obtained through the concerted and harmonious action of the railroads, does it not seem unreasonable that any objection should be raised to their adopting the policy of coöperation?

Railroad coöperation secures not only uniformity, but permanency of tariffs.

Permanency of tariffs is fully as desirable as uniformity of rates. Frequent and sudden changes in tariffs demoralize business, and very often cause serious loss to either the buyer or the seller. During sharp and reckless competition rates are exceedingly irregular, changing several times in the same day. This may stimulate speculation, but it has a disastrous effect upon legitimate commerce. The injury to trade in consequence of these fluctuations is admitted by all, and the main question is, What is the proper and effectual preventive? The advocates of railroad coöperation point to that principle as the best method of securing stability of rates, and, at the same time, allow the necessary elasticity of tariffs to meet possible emergencies.

Railroad coöperation protects the interests of communities.

In times of active railroad warfare, some city always loudly complains that it is losing business for the reason that other cities have proportionately lower rates. Of course, the railroads, ever alive to the fact that their interests are identified with the interests of the

communities they serve, promptly meet the rates made from competing points, but still the element of uncertainty remains.

In order to establish rates upon a basis that would be just to all cities, the Joint Executive Committee agreed that, taking the distance between Chicago and New York as a basis, the tariffs from all Western commercial centres to New York should be in the same relative proportion to the tariff from Chicago to New York as the distances from those points to New York bore to the distance from Chicago to New York; and that there should be agreed differentials from the rate to New York on traffic from all Western points to the other seaboard cities. A similar agreement exists in relation to west-bound business.

This equitable plan—which is the result of railroad coöperation—protects the interests of all the cities, and secures to the inland cities advantages that they would not be likely to obtain, in the same degree, under any other circumstances. They enjoy the benefits of any reduction in the rail-rate between Chicago and New York which is made to meet the competition of a low water rate.

Railroad coöperation contributes to the development of local traffic.

From an inordinate desire for through traffic, many roads have made extraordinary efforts to secure additional competitive traffic, completely disregarding whether any profit resulted from its acquisition, while they have apparently ignored the possibility of obtaining increased profits by adopting a more liberal policy in connection with their local traffic. Admitting that, in any event, it is to the interest of every road to fully recognize the claims of its local traffic, it is a well-known fact that during railroad wars the non-competitive business is entirely subordinated to the exigencies arising from the struggle for competitive traffic; and so far as coöperation prevents this subordination, it is in the interest of the local traffic.

Again, a reduction of rates upon any competitive traffic, made in compliance with the legitimate demands of commerce, frequently necessitates a reduction in the rates on non-competitive business.

As an illustration of this fact, note the following extract from an argument made before the Judiciary Committee of the Alabama Legislature by General E. P. Alexander, late First Vice-President of the Louisville & Nashville Railroad:

A fair illustration, however, of the actual working of one of these pools, I give from the history of the Southern Railway and Steamship Association. The following table will show the rates in force upon cotton at Atlanta, the principal point in Georgia, in 1875, at the formation of the association, and those in force in 1879. To show, also, that the decrease

in rates, which resulted from the pool, was not confined to cities and competitive points alone, I give the rates also from Buckhead, a small local station about the center of the Georgia Railroad, being a fair sample of a little place of about two houses, having no influence and neither asking or receiving any favors, viz. :

Cotton rates from	Year.	Per 100 pounds to		
		Charleston or Savannah.	New York.	Boston.
Atlanta.....	{ 1875	\$0.60	\$1.00	\$1.20
	{ 1879	.45	.70	.75
Decrease.....		\$0.15	\$0.30	\$0.45
Buckhead.....	{ 1875	\$0.74	\$1.24	\$1.39
	{ 1879	.60	.90	.95
Decrease.....		\$0.14	\$0.34	\$0.44

It is on such evidence as the foregoing that it is maintained that railroad coöperation is in the interest of local traffic, and secures for non-competitive business rates more nearly approximating those made on through traffic.

The foregoing is what are maintained, by its advocates, to be the relations of railroad coöperation to the public; and it might be of interest to investigate the charges raised against it by its opponents, and learn whether the charges can be sustained by facts.

They assert that railroad coöperation is inimical to the interests of the public and that it restricts commerce, for the reason that the railroads thereby secure greater profits though they carry less traffic.

How far this assertion is true can readily be seen by reference to statistics. Take the year 1876 as the representative of the amount of traffic moved during active and intense competition, and the year 1880 as demonstrating how much traffic is restricted by coöperation, and the following results are shown from the operations of six leading roads, all of which are members of the Joint Executive Committee :

COMPARATIVE STATEMENT SHOWING TONS OF FREIGHT CARRIED DURING THE YEARS 1876 AND 1880 BY THE FOLLOWING ROADS; ALSO SHOWING INCREASE OF TONS CARRIED DURING 1880 OVER TONS CARRIED DURING 1876.

Road.	1876.	1880.	Increase 1880 over 1876.
	Tons.	Tons.	Tons.
New York Central & Hudson River	6,803,680	10,533,038	3,729,358
New York, Lake Erie & Western.....	5,972,818	8,715,892	2,743,074
Pennsylvania	9,922,911	15,364,788	5,441,877
Pittsburgh, Fort Wayne & Chicago.....	2,604,767	3,865,675	1,260,908
Lake Shore & Michigan Southern	5,635,167	8,350,356	2,715,189
Michigan Central.....	3,056,286	3,797,137	740,751
Total six roads.....	33,995,729	50,626,886	16,631,157

COMPARATIVE STATEMENT SHOWING TONS OF FREIGHT CARRIED ONE MILE DURING THE YEARS 1876 AND 1880 BY THE FOLLOWING ROADS, GIVING INCREASE OF TONS CARRIED ONE MILE DURING 1880 OVER TONS CARRIED ONE MILE DURING 1876.

<i>Road.</i>	1876.	1880.	<i>Increase 1880 over 1876.</i>
	<i>Tons.</i>	<i>Tons.</i>	<i>Tons.</i>
New York Central & Hudson River.....	1,674,447,055	2,525,139,145	850,692,090
New York, Lake Erie & Western.....	1,040,431,921	1,721,112,095	680,680,174
Pennsylvania.....	1,629,742,021	2,298,317,323	668,575,302
Pittsburgh, Fort Wayne & Chicago.....	563,406,267	806,257,399	242,851,132
Lake Shore & Michigan Southern.....	1,133,834,828	1,857,166,018	723,331,190
Michigan Central.....	473,837,807	735,611,995	261,774,188
Total six roads.....	6,515,699,899	9,943,603,975	3,427,904,076

These statements show that the increase of tons of freight carried during 1880, over the same for 1876, was 48.9 per cent., and the increase of tons carried one mile 52.6 per cent. It is true that the general business of the country was better in 1880 than in 1876, but that does not change the fact that, if the object of the railroad companies in forming their coöperative association was simply to secure the highest possible rate, regardless of its influence on the volume of traffic, instead of an increase of over 50 per cent., there would have been but an insignificant increase. As further corroboration that coöperation has not restricted the development of traffic, take the following comparison of the flour and grain receipts at the five principal Atlantic seaports—New York, Montreal, Boston, Philadelphia and Baltimore: In 1876, the receipts of flour and grain at these ports were 212,013,864 bushels; in 1880, 341,349,702 bushels, an increase in 1880 over 1876 of 129,335,838 bushels.

Again: In 1876 the exports of flour and grain from the above-mentioned ports were 125,771,730 bushels; in 1880, 265,383,823 bushels, an increase of 111 per cent.

As by far the larger proportion of this increase in receipts was in the rail receipts, does not this refute the charge that railroad coöperation restricts traffic?

It is maintained that railroad coöperation increases the cost of transportation. Assuming that in either case—competition without restriction or coöperation regulated by the laws of trade—the railroads shall secure fair returns on capital invested, this assertion cannot be sustained. In that event, if bitter competition reduced the rate on one article below the average rate, a corresponding advance would be required in the charge for transporting some other article, while under a judicious and liberal system of coöperation the rates on all traffic can be equalized so far as consistent with the demands of commerce.

It is extremely difficult to reconcile the assertion that coöperation increases the cost of transportation with the facts shown in the following:

STATEMENT SHOWING THE AVERAGE EARNINGS PER TON PER MILE BY THE FOLLOWING ROADS DURING THE YEARS 1876 AND 1880; ALSO SHOWING DECREASE IN EARNINGS PER TON PER MILE DURING 1880, AS COMPARED WITH 1876.

Road.	1876.	1880.	Decrease in 1880.
	<i>Cents.</i>	<i>Cents.</i>	<i>Cents.</i>
New York Central & Hudson River.....	1.051	0.879	0.172
New York, Lake Erie & Western.....	1.099	0.836	0.263
Pennsylvania.....	0.892	0.880	0.012
Pittsburgh, Fort Wayne & Chicago.....	0.930	0.910	0.020
Lake Shore & Michigan Southern.....	0.817	0.750	0.067
Michigan Central.....	0.878	0.842	0.026
Average six roads.....	0.957	0.849	0.108

While the rates named above are extremely low, and could have only been the result of an exceptional combination of circumstances, still in this extract are shown two outside competitive forces that restrict railroad tariffs, viz., *demand for the commodity and water competition*. It must not be forgotten that the trunk lines on through traffic between the East and the West have to meet the competition of the lake and canal route as well as of the Mississippi River route. The competition of the latter is almost entirely regarding traffic from and to foreign ports.

Another element that greatly influences railroad tariffs is the competition between the different markets. Self-interest requires that each road, so far as in its power, protect the market with whose interests its own are closely allied, and see that commerce is not diverted from that market by any disadvantages regarding transportation facilities or charges that the railroad can remedy. This fact is fully comprehended by the mercantile community, who quickly invite the attention of the railroad management to anything pertaining to transportation matters which is considered detrimental to that market, and request that by some increase in facilities or abatement in charges they be placed upon a more even footing with other markets, and be enabled to meet their competition in common territory.

On the export business—grain, provisions, etc.—the competition of foreign countries has to be met. Take, for instance, the exportation of grain to Great Britain and continental Europe. Upon this vast amount of traffic it is not only necessary to meet the competition of the home production, but also the competition of grain imported from other foreign countries. How well this competition has been

met is shown in the fact that almost the entire increase in the grain receipts at the seaboard during the last few years as previously alluded to, has been for exportation.

Even had there been no water competition, and the railroads had possessed a complete monopoly of transportation routes, could they have charged extortionate rates upon this business? The competition of other countries probably confined the profits of all parties interested in this business to a minimum, and if the railroad charges had been so great as to unduly affect the profits of the producer, the trader or the ocean lines, what incentive would those parties have had to continue in the business? and would not the exportation have been discontinued?

Again: Ignoring all these restrictive forces that surround railroad tariffs, and present an insurmountable barrier before all efforts to make the public pay excessive rates, assume that, through coöperation or any other agency, the railroads secured unlimited power in connection with the establishment of tariffs, this question then arises: Would it be to their interest to use that power? Should they obtain for any extended period excessive profits upon the capital invested, the construction of competing lines would be greatly encouraged. Hence, on purely self-interested grounds, it would be far better for them to retain the entire business at reasonable rates than, by securing extravagant profits for a short period, endanger their future dividends and contribute toward the creation of new competitors, with whom they would have to divide the traffic at lower rates.

Not only would this policy be better for them, but it would be to the advantage of the public. So long as the public has adequate railroad facilities at reasonable rates, it is better that capital be invested in enterprises that really require more capital for their proper development, instead of being sunk in unnecessary railroads.

So far the object has been to show that railroad coöperation is not only an efficient remedy for manifold abuses, against which there has been much complaint, and that it protects the rights of shippers better than they can be protected during unrestricted competition, but that, owing to causes over which the railroad companies can exercise no control, it can never be employed as an agency through which extortionate rates can be secured. It might now be well to inquire, if railroad coöperation is not the proper method to institute reform in railroad management, what do its opponents suggest instead?

Some say "railroad charges should be based on cost of service."

That sounds plausible; but is it practicable? Is cost of service a principle that is fully recognized in other business? Does the lawyer or the physician regulate his fees entirely in accordance with this principle? or the merchant fix the prices of his goods at a rate of profit based upon the expenses of doing business? Are not the fee of the lawyer, or the physician, and the prices of the merchant governed to a very great extent by other circumstances than "cost of service?" But, in the case of the merchant, should he be disposed to sell his goods at a uniform rate of profit, taking into consideration cost of handling each individual article, etc., how could he determine the exact proportion of his store rent, clerks' salaries and other expenses, which should be charged against each particular hogshead of molasses or chest of tea?

Difficult as this would be, it is still more difficult to determine the cost of service in connection with the transportation of individual shipments. In charging operating expenses against the freight and the passenger branches of the service, it is necessary to make an arbitrary division, which is at the best only approximately correct. Then the exact amount of the annual expenditure for maintenance of way and equipment, repairs of buildings, bridges, etc., which should be charged against the traffic of any single year, cannot be accurately determined. The expenditures of this nature during any one year is to a great extent for the purpose of covering depreciation, or wear or tear, caused by the movement of traffic during former years. Of course, this expenditure has to be charged against the revenue some time, and usually, if the amount expended is not extremely large, it is charged against the business of the current year. Through the medium of a "renewal fund" account a road may endeavor to arrive more closely at the actual expenses due to each year's traffic, but while they may be in a measure successful, it is impossible to have it positively accurate. Still, even if it were possible to calculate the actual expense of moving each year's traffic, and to correctly divide these expenses between the freight and passenger branches of the service, there would remain the determining of how the expenses charged against the freight traffic should be justly divided among the various classes of freight, and how the amount allotted to each class should be redivided among the individual shipments.

However, if it were practicable to accurately compute the cost of transporting individual shipments, would it be in the interest of commerce to establish tariffs on that basis? We maintain not. The

present differences between the rates on the higher and the lower classes are, undoubtedly, disproportionate to the differences in the actual cost of transportation. Excluding terminal expenses and the greater liability for loss or damage, it costs but little, if any, more to move a car-load of merchandise than it does a car-load of iron ore; the proportion of the expenses for repairs of way, equipment, and for many other items chargeable to the movement of that particular car, though an unknown quantity, must be about the same in either case. Consequently what would be the result of establishing tariffs on the "cost of service" basis? To obtain the present average rate per ton per mile the rates on the higher classes would have to be lowered and the rates on the lower classes correspondingly advanced; and the result would be that the present large internal commerce in coarse commodities would be seriously affected, if not completely destroyed.

Should a road have a preponderance of traffic in one direction, the arbitrary application of the "cost of service" principle would debar it from moving a cheap class of freight in an opposite direction if the movement depended upon a rate of freight less than that paid by corresponding classes of freight hauled in the direction that the traffic preponderated.

The fact that this traffic would furnish return loads for cars that would otherwise be hauled back empty, could receive no consideration. The application of the "cost of service" principle will admit of no exceptions; and it is immaterial that the *additional* expense caused by the movement of this shipment would be small; if moved at all it must pay its proportion of all fixed expenses, interest on bonds and dividends on stock.

State ownership and operation of the railroads has been suggested as the proper remedy for all existing or imaginary evils of the transportation system. If it is proposed by this that the railroads should be operated by the National Government, it is hard to understand how any opponent of centralization can consistently advocate a measure that would so greatly increase the power of the administration. If it is proposed that the individual States should operate the railroads within their borders, it is difficult to comprehend how they could satisfy the various local interests without preventing the harmonious co-working of the integral parts of our national railroad system, which is so essential to the free movement of our internal commerce. Whether operated by the Federal or the State governments, what a prominent part the railroad department would play in

political affairs, owing to the vast patronage the party in possession would then have at its command! The conductors and engineers would be controllers of caucuses, the brakemen and firemen political bummers, and the station agent the co-worker with the postmaster!

It is also maintained that, while it may be undesirable that the State should own and operate the railroads, railroad tariffs should be regulated by law. Even conceding the State full authority to regulate railroad tariffs (which has been strongly disputed), would the exercise of that authority be equitable to the railroads or beneficial to the nation?

For instance, should the National Government enact laws regulating transportation charges on interstate traffic, would not their enactment unequally affect the different railroads?

Mr. G. R. Blanchard, Vice-President New York, Lake Erie & Western R.R., in his arguments before the congressional committees, dwells elaborately upon this obstacle to an equitable regulation of interstate commerce by congressional action, and indicates clearly how easily any national law regarding interstate traffic could be evaded by the New York Central and Pennsylvania railroads, through their geographical location in relation to State boundaries.

Situated entirely in the State of New York, and having as its western terminus the lakeport of Buffalo, and as its eastern terminus the great seaport of New York, in connection with the lakes, the New York Central Railroad could completely ignore the national law regarding interstate commerce. Hence, in this case, the practical result of congressional interference in transportation affairs would be legal discrimination against any competing line not so fortunate as to have its entire road located in one State.

The Pennsylvania Railroad is similarly situated between Pittsburgh and Erie and Philadelphia, and, so far as business via that road is concerned, the effect of congressional interference would be discrimination in favor of Philadelphia as against New York.

However, if national legislation did apply equally to all the railroads in the United States, the consequences would be still worse. For, in that event, our railroads could not enter into competition with the water lines and the Canadian roads, and they would have to stand idly by while the competition for our immense export traffic was confined to the New Orleans route, the lake and canal route, and the Canadian routes, in the latter instance building up the commercial interests of Montreal at the expense of our American seaports. How

far this diversion of commerce to Canada would contribute to the increased prosperity of American commerce can easily be imagined.

Nor would arbitrary State legislation be any less unjust to the railroads. Any law regarding railroad transportation charges that did not apply precisely the same to all other common carriers would be simply placing the railroads at a disadvantage at every point where they came in competition with other carriers.

For an illustration: Lying alongside of the Hudson River from New York to Albany, and the Erie Canal from thence to Buffalo, the New York Central Railroad has an active water competition at almost every point. Handicapped by restrictive legislation, it could not deviate from regular tariffs on any portions of its traffic without making corresponding reductions on its entire business; consequently, the water lines would have only to offer rates slightly below the limits within which railroad competition was thus confined to divert business from the railroad, which, in the absence of any legalized restraints, the railroad would retain by meeting any rates its water competitors might offer.

In this instance, a law ostensibly for the purpose of preventing discrimination between shippers would actually be a discrimination between carriers.

Another demand is that the local rates should be adjusted to the through rates, and that the rates on traffic between intermediate points should be on a *pro rata* basis with the rates on traffic passing over the whole line.

Discarding the fact that it may frequently occur that, owing to higher terminal expenses per ton, the shorter haul should pay the *higher* rate, we will suppose that in the State of New York a law should be enacted to the effect that the rates on local traffic should be proportionately the same as the rates on through traffic. What would be the result?

If the New York railroads desire any share of the through traffic they have to meet the competition and accept the same rates as other lines not subject to any laws passed by the Legislature of the State of New York. It is not alone to their interest that they should compete for through traffic, but it is also to the interest of the city and State of New York.

But if they have to make the same proportionate rates upon their local traffic as they do on the competitive through traffic, why should they not abandon the through traffic and secure the revenue necessary

to give a fair return upon the capital invested by raising the rates upon local traffic. This would withdraw all cause for any complaint that local rates were excessively high because the local traffic had to reimburse the railroads for losses accruing from carrying the through traffic at low rates; but would the commercial interests of New York be satisfied with the withdrawal of the railroads from the through business and the consequent diversion of business to other seaboard cities?

If this is the result of State interference with railroad management, would it not be better to let the problem be solved by railroad coöperation, through which all interests and all classes of traffic receive due consideration and equitable treatment?

The public and the railroads are to a great extent endeavoring to secure the same ultimate results, though using radically different methods of attaining that end. While there is an apparent conflict of interests between the individual shipper and the carrier, the relations between the railroad and the commercial community are too closely allied for either party to permanently secure undue advantage over the other. This truth is fully recognized by the more intelligent railroad managers of to-day, and has great influence in shaping railroad policy. They not only recognize the right of the public to demand good transportation facilities at the lowest possible cost consistent with fair returns upon the capital invested in the railroads, and are desirous that all abuses in railroad operation should be corrected and that all unjust discrimination should be abolished, but believe that these reforms can be better effected through the instrumentality of railroad coöperation than by legislation of questionable constitutionality or doubtful expediency.

The subject is so complex and so interwoven with the interests of all classes of the community, that in considering the transportation question, and prompted only by the desire to institute reforms, our legislatures might pass measures that would have an entirely different effect from that intended, and in endeavoring to correct some unimportant abuse they might enact laws that would not only be unjust to the railroads, but seriously affect the commercial prosperity of the State.

Upon many questions of railroad policy, men of great intelligence, combined with that familiarity with the details of railroad operation that can only be acquired by long experience, widely differ; and is it reasonable to expect that other men, possessing no greater intelligence

and having no familiarity with transportation matters, will be more competent to treat the subject?

Instead of appealing to legislatures for the removal of any alleged abuses in railroad operation, it would be better if the parties feeling aggrieved should take up the subject with the railroad companies themselves. We think that a more frequent interchange of ideas between the railroad managements and the representatives of other interests, if made in a spirit of mutual moderation and concession, would dispel all prejudices and remove all causes for mutual distrust.

If the principle of coöperation prevails, the public will have one central place to look for the correction of any real evils against which they remonstrate; and the railroad companies will be debarred from pleading, in extenuation of abuses, that, while they freely admit that the abuses exist and should be corrected, they are the necessary consequences of intense competition. For this reason, the public should not be satisfied with merely giving their sanction to railroad coöperation, but should insist that it receive a fair and thorough trial, and that the railroads be compelled to strictly comply with the stipulations of all agreements made between themselves regarding the maintenance and establishment of tariffs.

If, after due trial of the coöperative policy, it proves a failure, and the railroad companies demonstrate their incompetency to manage their vast charge in the mutual interest of the public and themselves, they will then have no good reason to complain if the public demand the intervention of legislative action.

To say that the experiment is hazardous, and that through combination the railroads would be able to infringe upon the rights and liberties of the public, would be an insult to the intelligence and patriotism of the American people.

C. W. BULLEN.

A FEW HINTS ON THE FOREIGN POLICY OF THE UNITED STATES.

A LITTLE more than four-score-and-six years ago George Washington, whose second presidential term was nearly ended, issued to his countrymen his Farewell Address, so full of serene wisdom and lofty patriotism. His friends were importuning him to become a candidate for a third term, and it was evident to all that the gratitude of the people would crown him with success should he consent to allow his name to be used. He was then only sixty-four years of age, strong and vigorous, equal to the cares of the great office which he had filled with so much honor, and apparently good for many years of life and labor. But he was weary of public cares and anxious to find rest in the shady slopes of his loved Mount Vernon. More than five-and-forty years in the service of his country—years crowded with bitter disappointments, with gigantic toil, with monotonous cares, with glittering success—lay close behind him. During those two-score-and-five years the feeble, scattered, divided colonies had grown from infancy into incipient manhood. Through a baptism of blood and of fire they had won their independence, and stood on the threshold of that rapid development which has been and is a wonder to the world. The great leader felt that independence was secure—that the new frame of government had borne its hardest trials and was safe from any imminent danger, and that it was not his duty to remain any longer at the helm of state. So, in the bright days of early September, ere the political canvass of the fall had commenced, he publicly declined the proffered honor of another election in the address which I have named. But he not only put aside the proffered crown and formally closed his public career. Loving his country with pure, unselfish devotion, he deemed it his duty to warn his fellow citizens against the dangers which beset the pathway of the young Republic. In words which seem prophetic, words calm, sedate, unimpassioned, and full of the ripest and most sagacious wisdom, he discussed the perils of the future. Even now no true American peruses them without the deepest emotion, and the profoundest veneration for their author. I have known those whose voices quivered and whose eyes moistened whenever they read that address aloud—a mute tribute to the entire abnegation of self and the ardent love of country which shine all through its pages. In this

degenerate age, when the sole ambition of so many statesmen is to be accounted "smart," when great names are linked with schemes of public plunder, when gigantic fortunes, accumulated in mystery in offices with lowly salaries, bring no general discredit on their possessors, when the clamor of an ignorant populace in two or three distant States impels not only the common herd of demagogues, but the trusted leaders of great national parties, to vie with each other in trampling under foot the obligations of solemn treaties, the study of that Farewell Address is like leaving the foul, sluggish, reptile-haunted current of the Mississippi at the Balize, to quaff the cool, limpid, bubbling springs in which it has its birth in the icy gorges of the Rocky Mountains. Here was a man careless of popular applause, but sleeplessly anxious to serve his countrymen; incapable of that political trickery which has won the epithet of smartness, refusing to take from the public treasury even the salary to which he was lawfully entitled, and consenting to receive only his carefully calculated expenses—who was, in short, just what the brood of modern politicians are not.

The general character and full scope of that address I do not propose to discuss. I would like to dwell on its invocations for the preservation of the Union, no less impressive than those which four-and-thirty years later the great statesman of New England thundered from his seat in the National Senate Chamber. It would be grateful to linger upon his solemn warnings against State pride, and parties based on geographical divisions or local interests, which would, if heeded, have prevented the consolidation and domination of the slave power, finally resulting in the greatest civil war known to history. What more instructive could I find for comment than the measured sentences in which he pictures the baleful effects of party spirit, and the necessity of general education in a free government? What more worthy of affectionate veneration than the passages in which he points out religion and morality as "the indispensable supports of all the dispositions and habits which lead to political prosperity?" What more necessary in this era, when repudiation, bearing political power, is embraced with shameless avidity by those who profess to loathe it, than the stately periods in which the Father of his Country adjures us to maintain inviolate and unstained the public credit. All these topics I reluctantly pass by to ask you for a few brief moments to reflect upon the teachings of that incomparable address which relate to the foreign policy of the United States.

"Observe good faith and justice toward all nations. Cultivate peace and harmony with all. Religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? Alas! is it rendered impossible by its vices?"

Again: "'Tis our true policy to steer clear of permanent alliances with any portion of the foreign world."

Again: "Harmony, liberal intercourse with *all* nations, are recommended by policy, humanity and interest."

Such were the admonitions which he who had justly earned the title of Father of his Country left as a parting legacy to his countrymen. Trite and old-fashioned as they may seem, they were then, and are even now, seldom observed in the intercourse of nations. The practical meaning of the word diplomacy meant then, and even now generally means, an intricate web of lies. The greatest master of the art in the age of Washington, the limping, smooth-tongued ex-Bishop of Autun, described an ambassador as one "sent abroad to lie for his country." Even in our day falsehood was so much expected in diplomatic intercourse that Bismarck's truth-telling produced the most bewildering and successful deception. Veteran and trained diplomatists could not believe he meant what he said. Numerous astonishing surprises convinced them that the highest diplomatic art consisted in using none, and they revenged themselves by styling the great German Chancellor's diplomacy "*brutal frankness*." That there had been a few honest *diplomats* before the farewell address, I am not disposed to deny. I do not forget Sir William Temple, and DeWitt, the Grand Pensionary of Holland, who, in the modest dwelling of the latter, in five short days wove between England, Holland and Sweden that famed triple alliance which, without the firing of a gun, curbed the lofty ambition of the French Fourteenth Louis. I do not forget the plain, hard-headed Boston boy, whose brazen caricature disfigures the City Hall Square, who, blue-stockinged and unwigged, made himself the fashion at Paris, and brought Rochambeau and Lafayette, the gold and the ships of France, to aid the fainting

Colonies in their unequal struggle. Yet, however successful, amateur diplomatists like Temple, De Witt and Franklin were despised by the trained masters of the art as the "*awkward squad*" of diplomacy. Doubtless, too, they regarded any attempt to regulate the intercourse of nations by the principles of religion and morality as grotesque and absurd.

I do not quote the numerous passages of the address in which Washington inculcated the duty of neutrality and its advantages. They form the keynote of the whole document so far as it relates to our foreign affairs. Freedom from entangling alliances; the cultivation of the arts of peace; no gigantic debt entailed by war; fair, honest dealing; entire impartiality and absolute justice in dealing with all foreign nations—were recommended by him who was first in peace, first in war, and first in the hearts of his countrymen, as he turned from public life to the quiet seclusion of his own home and to what he reverently terms "the mansions of rest."

The doctrines which Washington inculcated in his Farewell Address were those on which he conducted his administration. For half a century after the Revolutionary War the smouldering hatred of England engendered by it pervaded this country and was kindled into flame by the slightest incentive. Even within my own memory the hearts of the people panted for a war with their mother country which would wipe out old scores. The remembrance of that feeling makes me lenient toward the Irish patriots who vex our ears with speeches and resolutions and empty our purses by calls for relief. I remember how I had for the few Revolutionary soldiers who were lingering in life in my boyhood a feeling akin to that which our Irish neighbors bestow on the victims of Saxon tyranny. Contrasted with and linked to that hatred of England was a popular gratitude toward France. Her lilies had waved with the stars and stripes over the prostrate British lion, and to her powerful aid we owed our national independence. It was Washington's fortune to brave and control both the hate of England and the love of France. In 1773 the latter declared war against the former country. Popular enthusiasm demanded that we should take part in the contest. The French Republic sent us as ambassador Citizen Genet, who issued in this country commissions to privateers to prey on English commerce. Collisions between American and English vessels upon our coasts set the country on fire. Then came the British paper blockade of the French coasts, which destroyed our most profitable commerce; the impressment of Ameri-

can seamen; the violation of her treaty stipulations by England in not giving up her military posts south of the great lakes, and Indian hostilities in the Ohio wilderness, believed to be fomented by British intrigues—all which maddened the men fresh in whose memories were the scenes of the Revolution. Washington's popularity did not prevent an anti-administration majority in Congress. Even the selectmen of Boston lectured him upon his duty. Yet, being a patriot and not a demagogue, he stood firm. The New England presidential candidates who pander to the hate and ignorance of the San Francisco sand-lotters may profitably study Washington's conduct and, if they are capable of it, follow his example. By Washington was neutrality maintained and war averted. But for him the United States would have plunged into the tempest of war and bloodshed which for two-and-twenty years desolated Europe. Had she done so how different our national destiny must have been—how much more unhappy and wretched. Under the neutrality thus preserved our country became the common carrier of the world, and her sails whitened the seas.¹

War with England finally came in 1812, but she was then weary with the Napoleonic struggle; her people were hungry for peace; her resources were lavished on the battle-fields of Europe; our country had waxed strong, and the short and languid contest with our ancient foe did not permanently change our destiny nor permanently injure our prosperity.

The early foreign policy of our Government toward the Moham-medan States whose territories fringed the southern shores of the Mediterranean Sea, imitated and followed the shameful example of the most powerful Christian countries of Europe. For centuries the Saracen freebooters had ravaged the seas, capturing ships, confiscating their cargoes, and bearing into captivity crews and passengers. For centuries collections for the ransom of Christian captives were taken in all the churches of Christendom. The literature of that age is full of references to the disgraceful state of things. Cervantes wrote of Moorish captivity from his own sad experience. De Foe's "Robinson Crusoe," like nearly all the heroes of fiction, underwent capture and slavery at the hands of the Barbary pirates. With few exceptions, the Christian nations sought to protect their commerce

¹ Our commerce was vexed by the restrictive measures of both France and England, each of which nations strove to destroy the trade of the other. It was fatally crippled, however, by the injudicious embargos of 1807-9, which forbade the sailing of our own vessels from our own ports, and carried on hostilities in the same spirit with which the Irishman tried to punish his dog.

and their subjects only by the payment of heavy tribute. The United States fared no better. In 1795, for peace and the liberation of American captives, our Government agreed to pay the round sum of \$763,000, and an annual tribute in stores which really amounted to nearly \$50,000, besides a present of nearly \$10,000 biennially, with \$20,000 more whenever a consul was appointed. The Dey of Algiers, wrathful at the delay in payment, exacted the further tribute of a \$100,000 frigate for the commission of new piracies. The next year sixty returned captives were paraded through the thronged streets of Philadelphia, one of whom was there embraced by the wife whose face he had not seen for fourteen bitter years. For five years this burdensome tribute was paid. In 1801 it was transmitted to Algiers in the frigate *George Washington*, commanded by Captain Bainbridge. The vessel anchored directly under the guns of the castle, and, exposed to instant destruction, was pressed into the service of the Dey for carrying presents and an ambassador to Constantinople. Vainly did Bainbridge and the American Consul protest. The only reply was that the Christian nations which paid tribute to the Dey thereby became his slaves. Bainbridge wrote to the Navy Department that he hoped never again to be sent with tribute to the Dey, unless authorized to deliver it from the cannon's mouth. That frigate first bore the stars and stripes into the Golden Horn, and then the Turkish officials first learned of the existence of the United States. War with Tripoli followed, and some brilliant successes were gained, which led to another treaty of peace. But not until 1815, after some signal triumphs of American over English ships of war, and an imposing demonstration of naval force in the Mediterranean, did the payment of tribute to the Barbary pirates cease.

The successful struggle of the Spanish colonies in America for independence gave rise to what is called the "Monroe Doctrine," which has occasioned at one time and another much criticism and much debate. In 1821, Simon Bolivar, the liberator, and first President of Columbia, conceived the idea of forming a South American confederacy, and in 1823 he invited Mexico, Peru, Chili and Buenos Ayres to send delegates to Panama to form a confederacy. Between 1822 and 1825, inclusive, the Spanish American States formed treaties of alliance, offensive and defensive, for the purpose of guaranteeing their mutual independence. One result of these treaties was that neutral commercial treaties were also made extremely favorable to the parties. Our Government desired to procure from Mexico commer-

cial advantages such as she had granted to the other American States, and partly, at least, with a view to that object, President Monroe, in his message of December, 1823, declared that he should consider any attempt by European powers to extend their system to any portion of this hemisphere as dangerous to our peace and safety, and as the manifestation of an unfriendly disposition toward the United States. It is worthy of notice that one strong reason for such declaration long ago ceased to exist. The Holy Alliance, so-called, consisting of the five great powers of continental Europe, had issued a manifesto virtually declaring war against republican institutions in Europe, and impliedly, at least, in the whole world. A war by them against the Spanish American republics, in the interests of Spain, would have virtually been a declaration of war against republican institutions everywhere, and, therefore, a declaration of war against this country.

Afterward a new call for a convention of the American republics at Panama was made, and the United States was invited to send delegates. The administration of John Quincy Adams was favorably disposed, but the Senate called for the diplomatic correspondence on the subject in March, 1826, and debated it in secret session. Afterward the injunction of secrecy was removed, and senators allowed to print their speeches. In that debate loomed up the jealous, aggressive, domineering and ever-watchful slave power, and its opposition defeated the whole scheme. Simon Bolivar and the Spanish-American patriots were almost universally anti-slavery men. Among the questions to be considered by the Panama Convention were the suppression of the African slave trade, the independence of Hayti, and the independence of Cuba, which might involve the emancipation of her slaves. The slave power took the alarm, and Hayne, of South Carolina (five years afterward the antagonist of Webster in the debate which immortalized the name of the latter), in March, 1826, attacked the entire plan with great bitterness, and rallied the slave-holding interest to defend it. Since that time the ghost of the Monroe doctrine has been from time to time invoked, almost always, however, merely to gain some political capital.

From 1826 to 1861 the foreign policy of the United States was dictated by the slave-holding oligarchy. It selected our foreign ministers, and at every court where any action affecting its interests was possible it had watchful, able and vigilant emissaries. A vast majority of the diplomatic offices were filled from the meagre list of slave-owning lords. It is but fair to say, though, that during that

period those offices were generally filled with signal ability. In its contest with the public opinion of the civilized world, slavery placed no mere carpet knights in the van. But no public services, however great, no ability, however transcendent, could atone for any infidelity to it, however slight. Even the conservative and all-accomplished Everett was nearly rejected by the Senate when nominated as Minister to England in 1841, because he had once written a letter unfavorable to slavery in the District of Columbia. All that was persuasive in the eloquence of Choate, all that was commanding in the speech of Clay, could barely save him from defeat.

To procure new slave States, Texas was annexed, war was made on Mexico, intrigues were set on foot for the acquisition of the West Indian Islands. So late as 1854 we were disgraced in the eyes of the world by the famous, or rather infamous, Ostend manifesto, which openly advocated the acquisition of Cuba to protect and strengthen the institution of slavery in the United States. Even France, ground beneath the rule of the third Napoleon, was indignant at our aggressions. Colonel Sumner (afterward General Sumner), of the United States Army, was in that year a bearer of dispatches to our Minister in Spain, and on his way home tarried in Paris, and was presented at court to the Empress, with whom he had an angry and amusing altercation upon the object of his mission. Said she to the gaunt Indian fighter, awkward in his *outré* court-dress of rusty blue and featherless cocked-hat: "You Americans seem to think that because France is engaged in a war with Russia you can insult Spain with impunity. Permit me to tell you that Spain is abundantly able to take care of herself so far as you are concerned; that if she is not, France is not so crippled but that she can come to her aid; and that if, notwithstanding all, it shall become necessary to do so, we will liberate the negroes in Cuba, and thus revolutionize your own country." "Madame," was the answer from the blunt soldier, "I beg to say, with the highest respect for your Majesty, that we are not afraid of Spain; that we are not afraid of Spain and France together; that we are not afraid of Spain and France together and the niggers in Cuba to boot."

At which Bismarckian answer the American Minister tore his hair and rushed in despair from the palace. The influence of the Empress over her husband in affairs of state is well known—in despotisms the course of nations is often determined by a woman's whim—and there is no doubt that the deep-seated hatred of the French Empress, grow-

ing out of the aggressive pretensions of the slave-holding dynasty, bore bitter fruit in the hostile and ill-starred expedition of Maximilian to Mexico, and the persistent efforts of the Emperor to induce England to join him in breaking up our Union during the great civil war. During that era of arrogance on the part of the few and servility on the part of the many, it seemed as if the demon of human slavery had entered and possessed our Government, perverting its every act, and masquerading under the guise of liberty and equality.

From 1861 to 1865, during the Rebellion, our diplomacy mainly consisted in protecting ourselves against slave-holding intrigues, especially at Paris and London. To our envoys at those courts in that dangerous period (especially Mr. Adams) our people owe a debt of gratitude that future generations will appreciate even better than we do. It seems almost certain that our ruin would quickly have followed foreign intervention, and that foreign intervention constantly hung over our heads like the sword of Damocles, suspended by a single hair.

With the close of the war the character of our diplomacy changed again. At London we had Mr. Schenck, who instructed our verdant English cousins in the costly mysteries of draw-poker, and possibly the still costlier mysteries of Nevada mining. At Paris Mr. Washburn exhibited dauntless energy, not in guarding our country from European intrigue, but in mitigating the evils of the vast Teutonic invasion, which swept, a resistless flood, over France. Since then, however, American diplomacy has had easy tasks. Under the urbane and conservative Mr. Fish, and the learned and conservative Mr. Evarts, the Department of State has preserved a dull and decorous respectability, with a vast amount of inactive and unemployed ability. The diplomatic offices have been the reward not only of literary magnates, but also of decayed politicians clamoring for political recognition, and sometimes totally unfit for the positions they held. We are now so powerful, so isolated from the warlike nations of the world, so abundantly prosperous, that the State Department, until quite recently, was rusting in enforced idleness. With the advent of Mr. Blaine, however, there came another change, and a portentous one. Jobbery seemed to be installed in the vacant throne of slavery. It sought no field for profitable experiments among the nations of Europe, girded by war-ships, or bristling, like the fretful porcupine, with bayonets, but fastened on the comparatively weak American republics. Like slavery, it prated of the glory of the American flag

and the promotion of American commerce, but, unlike slavery, it loved the jingle of shekels better than the clanking of shackles. Peru, weak, insolvent and capricious, was delivered over to the rule of corrupt jobbers, with whom peace and war, national ruin and national prosperity, honor and disgrace, were simply matters for pecuniary speculation and spoliation. Under such guidance Peru wantonly provoked a contest with the brave, educated and disciplined people of Chili, who number only some three millions in all. In the quarrel thus begun Peru was soon driven to the wall, and her government utterly destroyed. Unwilling to occupy and hold Peru by conquest, Chili was forced to organize a government with Calderon as its head, with which some treaty could be made. Chili sought no cession of territory except such as was mainly owned and inhabited by her own citizens, and which naturally belonged to her, lying contiguous to her settled frontier, and being separated from the remainder of Peru by deserts. She sought no more than a moderate pecuniary indemnity for the expenses of the war into which she had been forced without any fault of her own. Suddenly, then, our State Department appears grotesquely on the scene as the attorney for stale, absurd, long-forgotten French claims to the nitrate beds and guano deposits of Peru. The banking firm of which our Minister to France was the head consents to act as attorney for and to press one of those claims, which had been magnified from a few thousand up to \$125,000,000. The other claim, which cost some \$1,600, was capitalized by Mr. Shipherd at nearly \$1,000,000,000. Who held the stock in that is yet an undiscovered secret. It appears, however, that the Secretary of State recommended to Mr. Shipherd as his attorney a United States Senator, an intimate friend of his own, who manifested his devotion to him by crying when he was defeated in the Cincinnati Convention in 1876. The Secretary insisted that Chili should surrender the nitrate and guano deposits, or satisfy these claims in some other way. Calderon was induced to sustain this outrageous demand, and was, consequently, deposed by Chili. This act, which was perfectly justifiable and in accordance with all the rules of war, was magnified by Mr. Blaine into a cause for armed interference. Chili applied to England, as a matter of course, for her bonds are largely held in that country, and it is no longer an open secret that she received assurances of armed support. Not content with this performance, so derogatory to the dignity and influence of our government, Mr. Blaine interfered in a dispute between Guatemala and

Mexico, by a turbulent and mischief-making dispatch, which so manifestly distorted and misstated the facts in the case that it was disowned by Guatemala herself, who, after some friendly correspondence, admitted the justice of Mexico's claim. Yet more. The irrepressible Secretary demanded of England the modification or abrogation of the Clayton-Bulwer treaty in the tone and manner of a stump speech, which could elicit no answer but a blunt negative, thus closing the door to further negotiation. In less than six months this Secretary had embroiled us with the two leading Spanish-American republics, and brought about a state of things which might not unreasonably be expected to culminate in a war with England, and the possible bombardment of Boston and our other Atlantic cities by a fleet of British ironclads. So far as his influence could go it went for violating our treaty with China and throwing away our growing trade with that most populous country of the earth. What the Secretary was seeking to bring about may, perhaps, be known by reflecting upon what must have resulted from the success of his schemes.

In the first place, the bogus claims against Peru would have netted to himself and his friends at least some scores of millions of dollars, which is not to be contemned, large as his fortune is. Secondly, A war with England, disastrous as it might have been, would have won him the Irish vote and the enthusiastic support of those turbulent and adventurous spirits so powerful in the game of politics, and probably elevated him to the presidency to vigorously prosecute the war. Third, The building of a great navy would have been an absolute necessity, and it is now being pressed without any imminent necessity at all, under auspices which raise well-founded suspicions of gigantic jobbery and almost unlimited corruption. Fourth, His position on the Chinese question would have won him the ardent favor of the sand-lotters and the electoral vote of the Pacific States.

Against any such foreign policy as that shadowed forth in the six months' rule of Mr. Blaine every intelligent, honest and patriotic man should vigorously protest by word, by act and by vote. It would lead to foreign wars and internal corruption, and eventually to national ruin. The foreign policy of the United States should not be made subservient to personal ambition nor audacious jobbery. We are now so strong that no power on earth will attack us so long as we pursue our peaceful development. Free from the load of a standing army and expensive navy, free from wars and rumors of wars, with ever-

diminishing national taxation, with unlimited natural resources, with the most enterprising and active people on earth, we can make the condition of the masses so comfortable and so happy as to provoke the envy of the European peasant who carries on his back the heavy burden of an armed man. Let us go back to the pure fountains and deeply drink the spirit of the Farewell Address of our first President and greatest patriot, and govern our treatment of other nations by the simple rule of common sense, justice and humanity.

BAINBRIDGE WADLEIGH.

ENGLISH VIEWS OF AMERICA.

IT ceased to be the fashion among Englishmen to indulge in such dreams as Horace Walpole has recorded concerning the future greatness of this country soon after the war of the Revolution. It is true that there was then, as there has been almost uniformly since, a small class of rare Englishmen who sincerely wished us well. But it is probably also true that the great mass of that nation who wrote or spoke about the young republic, regarded it, if not with jealous, at least with critical, eyes. Each element of greatness as it first appeared among us, every long stride on the road of progress that was taken by the infant commonwealth, sent a new pang into the hearts of the English, who saw in our rapid growth an evidence of greater loss to them, now that we were no longer property of theirs. The war is still raging, and the fertility of the British press to-day concerning America renders it a superfluous task to go back fifty or a hundred years in search of literature upon this subject, but it may be well to recall a touch of the treatment that our ancestors received by quoting from the writings of one who was infinitely more pointed and witty, if not more just, toward us than the majority of his countrymen.

Sydney Smith published in the *Edinburgh Review*, in 1820, a paper in which, with other matters not very eulogistic of America, occur such questions as the following: "In the four quarters of the globe who ever reads an American book? or goes to an American play? or looks at an American picture or statue? What new constellations have been discovered by the telescopes of Americans? What have they done in the mathematics? Finally, under which of the old tyrannical governments of Europe is every sixth man a slave, whom his fellow creatures may buy and sell and torture?" This is

as if a bully of sixty should taunt a boy of ten upon his youth; should ask him to point out the armies which he had commanded and the cities he had built. When the time had not arrived for the tree to blossom our English friends were clamoring for fruit. While our fathers were clearing off forests, were erecting houses to protect themselves and their families from the cold, were compelled to exercise a constant vigilance against savage men and savage beasts, they were asked to exhibit a great painting, or point out some new star. The taunt concerning the existence of slavery came with a poor grace from an Englishman. The institution of slavery was a practical inheritance from England. It was established while the Colonies were still under British law and while our ancestors were recently from England, and retained all the instincts of their race in an unmodified form. The slaves were brought here in British ships; and when that British institution was about to perish, amid battles which dwarf the wars in which England is known to fame, we can all remember with what a maternal tenderness she soothed its dying, and how, afterward, she even paid a round doctor's bill at Geneva. Mr. Smith should have accorded the daughter a little time in which she might overcome the hereditary poisons imparted to her by her mother. Sixty years have now elapsed since Mr. Smith put his questions, and we might now fairly be asked to answer them, and to exhibit the fruits of civilization, but if an American should answer them truthfully to-day he would probably be accused of boasting. It is enough to read the questions and to consider subsequent events. Throughout the whole controversy the difficulty has been, not only with Mr. Smith, but with the majority of our English critics, that they have expected a reversal of the course of nature. They have demanded of youth the products of age, have looked for a fully developed national literature and art among the growths of a day.

The latest British contributions of any note to this controversy come from the pens of Mr. Freeman and Mr. Arnold. Mr. Freeman's article is an admirable statement of some of the problems of our civilization. He unquestionably understood what he was writing about. Upon all his positions he presents sound evidence and argument. And if we do not concur in all his conclusions, we are at least compelled to respect them. Mr. Arnold's essay possesses few claims to attention, aside from the fame of its author; but as it is a typical English effort upon the subject, and as the general silence of the American press concerning it has been construed by some leading British jour-

nals as a plea of guilty to the charges of the article, it may be well to notice a few of its positions at some length.

Mr. Arnold's chief claim is that we are substantially a middle class of Englishmen—rather below the middle class in the old country—and that an “upper class” is substantially omitted; and, he adds, “An American of reputation as a man of science tells me that he lives in a town of 150,000 people, of whom there are not fifty who do not imagine the first chapters of Genesis to be exact history.” To those who have witnessed the spectacle of Mr. Ingersoll discoursing, even in small towns, to large and admiring crowds upon the “Mistakes of Moses,” and kindred themes, a similar statement with regard to a village of 300 people would seem far less incredible. It is not of the slightest importance that Mr. Arnold should disclose the name of the gentleman who made such a statement, but he might tell us where we can find this godly city. The real fact may constitute a far worse symptom than the fact which Mr. Arnold has discovered, but that is another question.

Another proof that we are a middle class is that our religious denominations are those of the middle class in England. Mr. Arnold has been reading the list, and he finds Methodist, Baptist and the other churches of the Dissenters. Now, this argument of Mr. Arnold's will strike one, after a moment's consideration, as a very remarkable piece of reasoning. In England there is an established church. That institution is the church of the court, the nobility, and hence of fashionables generally, not because of anything inherent in its creed, but because the law has given it certain peculiar and exclusive privileges; because of long prior occupation, and because by law it is still the church of the State. A man may believe substantially the same creed, but differ on some question of mere polity, and he becomes religiously identified with the middle class. This follows from laws and a state of facts peculiar to England. But in America there is no established church. After the Revolution the feeling here was so strongly against England, and all things English, that an American, provided he could get substantially the same thing in some other organization, would select it in preference to the branch of the English Church. The very reason that makes the dissenting churches socially what they are in England has never existed here since we became a State, but Mr. Arnold strangely assumes a state of facts peculiar to the country in which he lives to prove that we are like a portion of that country. If he will point out something in the *creed* of the Congregationalist or

Methodist Church, for instance, more likely to be obnoxious to a gentleman than the articles of the Church of England, he will furnish us with something in the nature of a reason for his claim.

But it is not easy to see, granting that we were originally representative middle-class Englishmen, why, with all our natural wealth and advantages, there should not have been evolved here what in England would be termed an "upper class." The upper class in England is made up of gentlemen whose fathers, or who themselves, have emerged from the lower order, unless, indeed, the so-called upper class is not a class, but a race descended from heaven. If Englishmen emerge from the middle class in England, why should they not also emerge here, or is this race progressive only upon an island enveloped in fogs? The issue may be hinted at in the form of a "hypothetical question," as the lawyers say. Let us suppose that at the beginning of this century, upon a continent where the air is clear and the sun shines, there lived a community of five millions of people, substantially English, who possessed a considerable average amount of wealth, laws equal and favorable to education, colleges affording a respectable higher education, the literature of England, a system of religion as rational as any that then existed; that all civilizing influences then among them rapidly increased—in short, imagine in the supposition all the pertinent facts of our history—would we not expect to find among their fifteen millions of descendants, in 1882, a considerable, even a large, class possessing many, and perhaps all, of the best attributes that are supposed to belong to the upper class in England, excepting, of course, mere prestige of birth and hereditary titles? If to this interrogatory Mr. Arnold would answer nay, will he tell us what the race amounts to? and, if yea, what would become of his middle-class argument? But this question ignores some of the best elements of our national life which are not English.

Mr. Arnold then quotes from the New York *Nation* an extract in which that journal bestows a little advice upon the college graduate about to be launched upon the world, where, it appears, not one man in a hundred thousand "changes his shirt more than once a week, or eats with a fork." Mr. Arnold does not notice the only serious part of the quotation, and which is directly upon the point he is writing about—the inclination of American fathers to give their sons college educations—but he finds food for raillery about our table manners and linen. It is just possible that the estimable editor of the *Nation*, being foreign born—not indeed English—and presumably acquainted

with European manners, when he spoke of the "world," meant precisely what he said. But we must respect prejudices. Mr. Arnold is an Englishman, and Englishmen when they say "world," generally mean the island upon which they live. Let us assume, with Mr. Arnold, that the editor meant America. Perhaps Mr. Arnold, whose genius has raised this question to the dignity of an international one, will tell us whether it isn't vulgar in America to eat with a fork, since not one man in a hundred thousand does so. A fork may be less dangerous, but isn't it more vulgar than a knife? Manners are to a great extent mere conventional things, and in matters of that kind are regulated by custom. Upon the linen question there seems to be no escape, but we can at least plead, in mitigation of any sentence that Mr. Arnold may feel inclined to pronounce, that he is accustomed to the fogs of England.

It might be supposed that Mr. Arnold, in considering a question of national culture, would not devote too much attention to laundry statistics and the like, but that he would find it pertinent to his subject to ascertain what books we read; and if he should find, upon inquiry, that the circulation of even good English books is two or three times greater here than in England, he might try to reconcile that fact with the statement of the French writer, which he considers of importance enough to be quoted, that our "childish and half-savage minds are not moved except by very elementary narratives, composed without art." The *Boston Advertiser* reminded Mr. Arnold that his works were more popular here than in England. It must not be very pleasant for him to contemplate an uncultivated being in the woods of America, clad in soiled linen and pensively eating with a knife, while regarding a copy of "The Strayed Reveller" open beside his plate. That trite Latin phrase *noscitur a sociis* naturally occurs to one's mind. "The Strayed Reveller" finding such company more congenial than the cultured society of England? Surely some prophetic instinct must have inspired its author when he selected the name. The suggestion of the copyright question is hardly pertinent in this connection to explain the circulation among us of British books. The question is, have we knowledge? not, have we stolen it? A thief can display his taste in the article he steals, and the issue Mr. Arnold raises through his French friend is one of taste. But we hope Mr. Arnold will possess his soul in patience upon the question of copyright. A little acquaintance with American politics would render the matter clear. Everybody has wanted "tariff reform" for years. The newspapers,

the party platforms, have called for it, and yet we are just getting ready to legislate. He should be told that there are very important matters before Congress. We have some hundreds of millions of surplus revenue each year, and our congressmen are overworked in devising schemes to dispose of it. We have creeks that must be deepened into rivers. When a third-rate journal makes an accusation against a newspaper correspondent there must be a congressional investigation. A "Confederate Brigadier" must occasionally be slaughtered upon the floor of the National Senate. The question of international copyright is really of very little importance. Our leading publishers petition for it; our writers desire it. It is sure to come—perhaps not in Mr. Arnold's day, but sometime. But, really, what need is there of any copyright treaty? If "our half-savage minds" are only moved by works in which "burlesque and melodrama, vulgarity and eccentricity, are combined in strong doses," what benefit would accrue to Mr. Arnold, or to any other cultured Englishman, if his writings were copyrighted here? Mr. Arnold has evidently followed the suggestion of his French friend to the extent of giving us *something*, at least, "in strong doses," but if he intended it for even respectable nonsense he should have made it at least coherent.

Mr. Arnold then gives us some literature of American origin and of a very stirring nature, setting forth the crimes of England and the failings of Minister Lowell. He can find volumes of such stuff in the records of land leagues and Irish boards of aldermen throughout this country, and since he has considered it of importance enough to be noticed, it is strange that he was content with anything so tame. Why, here in Massachusetts, not very long ago, there were speeches made and resolutions—actual resolutions—presented, amid cheers from a thousand Celtic throats, in comparison with which these extracts seem very mild reading. Mr. Arnold writes as if he thought that, by some strange process, an Irishman by contact with our shores became transformed into a representative American, and should be quoted as such. A voyage across the Atlantic in the steerage of an emigrant ship, however trying it may be to this mortal frame, does not change the constitution of the human mind: "*Caelum non animum mutant qui trans mare currunt.*" It is to be expected that each emigrant will exhibit some of the characteristics of his race. We can fairly presume that an Irishman will retain in this new world a certain degree of turbulence and an appetite for potatoes. An Irishman in America should be compared with an Irishman in the three

kingdoms. Where you find him guilty of an incendiary speech here you will find him guilty of a murder there. That spirit of lawlessness that shows itself in speech here and in act there, the traits that tend to unfit this race for liberty and citizenship, are in a great measure due to the terrible oppression which England has for nearly a thousand years heaped upon Ireland. I would not depreciate those efforts at reparation which the English Government is making to-day. That noble British leader, who is reaping the fruits of the long wrongs of his country, in his attempts to deal out a tardy justice deserves the sympathy and admiration of the world. And it is no fault of Mr. Gladstone's that more than twenty generations of outrage and murder should have reduced a race so low that it now strikes at friend and foe alike. But Mr. Arnold made his quotations for the very harmless purpose of showing that we are still "ruled by declamation." He was not very happy in his illustration. Mr. Lowell is still, I believe, our Minister at London, and if nothing more serious operates to remove him than such talk as appears in these quotations, he will probably remain there forever.

Mr. Arnold now quits the field of quotation, which he has so widely tilled, and proceeds to speak out of his own mouth. He has never seen us, but his words are none the less positive on that account. We in this country have no such a splendid and unique class of gentlemen as has England; something faintly resembling it, perhaps, "but not by any manner of means on the same scale." It would be well to know a little more definitely what Mr. Arnold means by "gentlemen." He probably does not mean that class who are great simply because they have been born—a nobility. Neither did he probably mean men of sufficient wealth to place them above the necessity of labor, although, if that were his meaning, it would still remain to be argued whether there were not larger fortunes and more of them here than in England. It is difficult to fully define the word, but it is fair to presume that Mr. Arnold meant one who, in the first place, possessed essential manhood; one who would despise a spirit of caste; who would, as far as possible, disregard the mere accidents of life; whose first instinct would be to strike a snob; who would look deeper than the externals of wealth and birth; who would be kind and courteous, and ever ready to assist, as best he could, all who were deserving. Mr. Arnold can add to such a one the culture derived from good books and good schools. It is difficult to take any census upon this point, and to say how many gentlemen are in America and how many in

England. The question can be partially solved from the standpoint of principles. Granting that we are substantially of the same race, the question becomes one of laws, institutions and surroundings, and of their effect upon the race. This is far too broad to be considered within the limits of an essay, but if the inquiry were pursued I believe it would establish conclusions far at variance with Mr. Arnold's assumption. Not to get too deeply into the subject, let us consider one aspect of affairs in England. We find that almost the sole qualification of the sovereign, a person in whose hands are reposed powers that may decide the fate of the empire, and who is in law not responsible for their exercise, is birth. There is also a class whose members are born law-makers and judges of the highest court of England. These persons possess heritable powers over the life, liberty and property of the people of England. What would be the tendency of this order of things in a race which, whatever its faults, was undoubtedly created to be free—to produce the gentleman, or to produce the bully? A lord will probably not attempt to mark his superiority over those about him by kicks and cuffs; but as we descend in the scale the difference between the strong and the weak will be asserted in brutal ways. It is unfortunately true that he who is systematically oppressed is apt, when an opportunity is presented, to himself become an oppressor, and that a man who is shut out from the upper strata of society by boundaries of rock will miserably attempt to compensate himself by making those who are below him feel their inferiority. Accordingly, we find that that worst of all forms of bullying, wife-beating, is regarded as the English national crime; that the superior servant beats or oppresses his inferior; that in the pictures of English schools, drawn by their best novelists, the most prominent personage, next to the hero of the story, is the young bully. To leave the individual, and to consider the people acting collectively, do we not find a national bully? How did England treat weak China in regard to the fatal traffic in opium? With what something ten thousand times worse than bullying did she not visit India? How did this young Republic fare until its increased strength made bullying rather dangerous business? How is it and how has it been with Ireland? What penalties for the crime of weakness has not been inflicted by England upon the Zulu, the Afghan, the Hottentot and the Egyptian?

The fact cannot be ignored that England has given the world some fine products in the line of gentlemen, men who, in all the elements of

manhood, are certainly among the noblest of the human race. But perhaps their higher stature is due to the discipline of the difficulties that baffle and overbear the common mind. Mr. Arnold, on the other hand, should credit us with having some fine gentlemen in the United States. Some Americans of good imitative talents return to us after a six months' visit to England with all the drawl and trappings of a gentleman, and attempt for our edification to reënact the British lord upon American soil. But this class, fortunately as feeble in number as it is in intellect, is scarcely equal to the task of reforming their countrymen.

It would be unkind, perhaps, not to merely notice a certain quotation which Mr. Arnold made, and which seemed to give him a vast deal of comfort, an extract directly from the American camp, which laid such stress upon the vulgarity and hideousness of American manners, and which exhibited to the hope of the race a very few highly-civilized people "conscious of cultivated tastes." The confessional is sweet even to the rogue who turns state's evidence and admits the crime of himself along with that of his accomplices. But sweeter far must it be to one who, pleading to an indictment against many millions of people, lisps out his own innocence and then confesses that his countrymen are guilty. But the writer who is quoted, to secure to his admission the weight that is due the admission of an ordinary criminal, should place it beyond doubt that he is confessing also his own crime, and that his manners are "hideously and undeniably vulgar." Otherwise it would be like a Pharisee confessing to the sins of the Gentiles. We are undoubtedly suffering from some of the excesses of a democracy, and we should expect this from the nature of things. But if, as a democracy, we were perfect, would it not also be expected, from the nature of things, that there should be some among us eager to themselves escape transatlantic censure or covetous of transatlantic praise, who, when some good, kind gentleman, like Mr. Arnold, should point out an imaginary excrescence upon us and say, "methinks it is like a camel," would respond "very like a camel?" Yes, indeed, or very like a weasel or a whale.

In regard to our ability to furnish more than a common-school education, Mr. Arnold should remember that we have several schools scarcely inferior in wealth to Trinity at Cambridge, called the largest college foundation in Europe; that we have, in addition to these, at least a score of colleges of large endowments, whose courses and means of instruction will compare not unfavorably with the colleges

at Oxford and Cambridge; and that, in addition still to these, there is a large number of schools claiming, and some of them deserving, the name of college, where it is possible for a student to gain a substantial classical and scientific education. Our schools, above the grade of academies and preparatory schools, contain over 60,000 students, and own property to the value of nearly \$150,000,000. And yet Mr. Arnold quotes M. Renan as saying that the Americans have provided no "serious higher education." There is nothing like having the facts about America, even if an Englishman has to go to France for them.

Mr. Arnold mentions the Guiteau trial, which will probably remain a British slogan down to the latest generation. It was my fortune to pass a very few weeks in England during the progress of that trial. Slightly accustomed, as I had been, to the orderly procedure of our courts of justice—courts which, to my prejudiced mind, did not yield in learning, ability or dignity, if they did in dullness, to the courts of England—the daily reports of that trial certainly filled me with surprise. The great journals of London, as if to give the worst possible phase to a bad matter, served up each day to their readers an account, of perhaps a finger's length in a column, in which would be condensed the prisoner's choicest sayings and doings, and they would accompany these reports with stately and cumbrous apprehensions for the good name of American justice. At last, to the relief of the whole world, the day of the end came, and the jury did their duty. And then was seen why the *Times* is called "The Thunderer." Giving loose rein to the necks of its hundred earth-shaking steeds, it sped its burning bolts far out across the sea. The following is a specimen of its thunder: "Public opinion is reasonably powerful in America, and it might easily have braced up Judge Cox to a more vigorous treatment of the case." In order to denounce America, the *Times* assumes an ideal of a judge repugnant to every decent principle of justice. It is rather a strange doctrine that public clamor should surround and influence a judge who is supposed to administer the law, not as it is recorded in the frowns of those about him, or in the hooting of mobs, but in constitutions, statutes and long judicial usage. It is not credible that the greatest journal in the world should take such a position through ignorance. A Turk would know better. The *Times* knew better. But here its real animus toward us cropped out, in spite of its pompous editorial regrets. In view of the strange spectacle of the trial, public opinion was anything but favorable to us. It saw an opportunity to abuse the ear of Europe, and to deal us a

foul blow before the face of the world. The temptation was too great. It proposed also, with a great bluster, to withdraw the sympathy which England had extended to us, as if, indeed, England had only indulged in a little dramatic grief. But let us grant what the *Times* urged, but what it could not prove. Let us grant that the conduct of Judge Cox was the conduct of the whole people. We have then the spectacle of a people in regard to a crime which calls out for justice and not for law, and in regard to a criminal who brings a deep humiliation upon their courts of justice, insisting upon the regular administration of the law, amid the jeers of Europe. Having undergone such a test, what degree of devotion to their principles of liberty cannot be hoped? Perhaps it is not far from the truth to suppose that the clannish clamors raised against us by our English brethren were inspired by disappointment that we did not yield to the strain and follow some of the memorable precedents of England; that we did not quietly convict the prisoner with a gag in his mouth, or while he was in a dungeon; that we did not sacrifice liberty to decorum and have him decently hung.

The work of civilization will somewhere be accomplished, and it will still be the equal right of all men to turn to the light, whether its brightest works shall appear upon the banks of the Thames or the banks of the Mississippi. Why should our English friends be troubled? If they are conscious that they bask in warmer and brighter rays, why should they not be happy and cherish the delusion of their more savage brothers of the West, who, groping in the twilight, would fain believe that they are surrounded by the light of day? Perhaps they look upon the future with prophetic eyes. Perhaps they see a not distant day when Canada shall cease to be a "Dominion," when not improbable events shall lose to them India, when Ireland, rarely a source of strength, shall become a source of constant danger. Perhaps they see, too, that within the span of a brief life a community of a hundred millions of people, under laws that are equal and free, shall speak the tongue of England, and that the arms and chariot of the race will be transported across the sea. When that time shall arrive, it may possibly become the rule for distinguished Englishmen to visit us before they try to describe us, and a few newspaper scraps and random private conversations may not then be considered the best evidence upon which to attempt that difficult thing spoken of by Burke—to frame an indictment against a whole people.

SAMUEL W. MCCALL.

THE TRUTH OF ANTI-SLAVERY HISTORY.

IN the article of Mr. Oliver Johnson, in the September number of this "Review," in reply to my paper for the month of June, he says I have created "astonishment among those who have hitherto thought themselves well-informed on the genesis of modern Abolitionism." He is not only astonished and evidently grieved at what I have said, but his entire article breathes an accusing spirit, as if I had laid profane hands upon the altar of Liberty, and defiled the garments of her anointed apostles. All this surprises me quite as much as my article seems to have surprised Mr. Johnson. Let me assure him that I am wholly unconscious of any sacrilege in what I have written. I did not say that "undeserved honor has been bestowed upon Benjamin Lundy and William Lloyd Garrison," nor have I sought "to pluck from the head of the great Liberator the crown of honor which has been placed there by the general suffrages of his contemporaries." Mr. Johnson draws on his imagination. I was personally acquainted with Mr. Garrison from the year 1851 till the end of his life. We kept up an occasional correspondence, and his letters bear witness to a personal friendship which it would be morally impossible for me to requite by the slightest intentional injustice or unkindness. I am, myself, a soldier in the army of his friends. As regards the doctrine of "immediate and unconditional emancipation," about which Mr. Johnson seems so singularly sensitive, I said in my article that I believed "it was the inevitable outcropping of his moral constitution, and came to him with the authority of a divine command," and that "he did not need to take it at second hand, while his overmastering personality popularized it, and imparted to it a meaning and power which quite naturally won for him the honor of its paternity." I believe this, in substance, is all that Mr. Johnson himself claims for Mr. Garrison, and, therefore, I am utterly unable to see why he should be either surprised or burdened in mind. I had no thought of robbing any leader of his laurels, and my sole purpose was to do fitting honor to an anti-slavery prophet who was born into the world nearly thirty years earlier than Mr. Garrison, whose anti-slavery record has been strangely slighted by history, and whose proclamation of immediate emancipation in 1814 cannot possibly dishonor or disparage the just claims of later pioneers of the cause. My single object was the service of the truth, and I feel confident that

neither the letter nor spirit of my article betrays any other purpose to any fair-minded reader.

But let me come now to Mr. Johnson's analysis of the evidence I offered in support of my two propositions. The first of these is that Charles Osborn proclaimed the doctrine of immediate and unconditional emancipation in the year 1814. This is a matter of fact, and, like any other, may be proved by any legitimate evidence. It may be shown by the position and specific language of Mr. Osborn himself, recorded in brief and apt words. It may be proved by other language of equivalent import. It may be proved by Mr. Osborn's actions, speaking louder than any words. It may be shown by the records of the "Manumission Society," which he aided in founding, and which proclaimed the doctrine in question, if those records have been preserved. And it may be shown by the direct statements of well-informed and trustworthy men who were his contemporaries, and had knowledge of the fact. Any lawyer could have told Mr. Johnson all this, and thus have saved him from the error of assuming that no proof of Mr. Osborn's anti-slavery position is admissible except his own written or printed statement. This controversy is not about a sentiment, or a form of words, but a *fact*; and, with all due respect, I must decline to recognize Mr. Johnson's authority to reject legitimate evidence of it, or to dictate to me precisely how I shall demonstrate it.

My first witness is Rachel Davis, a daughter of Elihu Swain, at whose house the Tennessee Manumission Society was formed in the year 1814. According to an account of it given in Lundy's paper, subsequently published, it was in the month of August. She was present at its organization, in which Charles Osborn took the lead, and says that it avowed the principle of immediate emancipation. Mrs. Davis has long been personally known to me as an intelligent and trustworthy woman; but Mr. Johnson says "the constitution of the society is not put in evidence," and asks "why?" If he can find it, and will produce it, I shall be glad to offer it, and give him the opportunity to show by the record, if he can, that Mrs. Davis is mistaken. I presume the document is not in existence, but there are men still living, whose names I shall presently mention, who form a connecting link between that early period and the present, who know the character and purpose of these first manumission societies of Tennessee and North Carolina. From them I learn that their mission was not political, but moral. Slavery had not then found its way into

politics. Their appeal was to the individual. Benjamin Lundy, at a later day, urged political action against slavery, and believed that through this the evil could be finally abolished. His aim was the overthrow of the system. He thought the work could be greatly facilitated by judicious schemes of colonization. He believed in gradual emancipation, and was as fertile in methods of action as he was tireless in zeal. But Mr. Osborn's society addressed itself to the conscience of the slaveholder. Like the Garrisonian Abolitionists of a later day, it taught the sinfulness of slavery and the duty of manumission—not "gradual" manumission, but manumission at once, and without conditions, which was not then forbidden by law; and its business was to persuade slaveholders to enter upon this work.

But Mr. Johnson says "the uncertain recollection of an old lady" can have but little weight as a witness. He does not question her integrity, but says her "recollection of an event that took place nearly seventy years ago, and her comprehension of the question at issue now, may be doubted." He seems to forget that while the memory of old people touching recent events is very untrustworthy, it is vivid as to those of childhood and early life. I must also remind Mr. Johnson that in 1852, when Mrs. Davis was only fifty years old, she united with the Society of Anti-Slavery Friends, of which she was then a prominent member, in witness of the fact she now affirms. I do not pretend that my proposition would be established beyond all question by her uncorroborated statement; but I offer it as one of my proofs. Mr. Johnson cannot brush it aside by calling it "uncertain" or "doubtful," but must successfully impeach it, or accept as at least probably true the fact which it affirms. He is himself an old man. He tells us many things concerning the early career of Mr. Garrison which he very reasonably expects the public to receive on the strength of his testimony. He relates facts and incidents which date back a full half century, when he had scarcely passed out of his boyhood; but no one now thinks of questioning his statements by reason of his age and failing memory. It certainly would not have occurred to me, at any rate, that his facts could be successfully impeached on grounds so inconclusive.

I pass to my second witness, Rev. John Rankin, a native of Tennessee, where he resided till the year 1817. Few men are more widely known to the anti-slavery public. He founded the Western Tract Society, at Cincinnati, for the purpose of supplying the country with anti-slavery information. He was one of the first lecturers sent

out by the American Anti-Slavery Society. As preacher, writer and lecturer he was most honorably known. He was an uncompromising Abolitionist from his youth up, and he preached his doctrines boldly from the pulpit at a very early day, both in the South and in the North. He says the Manumission Society referred to proclaimed the doctrine of immediate emancipation, and that after his removal to Kentucky he proclaimed it to large congregations. In 1824, after his removal to Ohio, he published a series of letters setting forth the sinfulness of slave-holding, and avowing the same principle. These letters, he says, were published in book form in 1825, and Mr. Johnson tells us they were printed in the *Liberator*. That Mr. Garrison was well pleased with the book is shown by the following inscription on the fly-leaf of a volume of his own writings, which he presented to Mr. Rankin:

Rev. John Rankin, with the profound regards and loving veneration of his anti-slavery disciple and humble co-worker in the cause of emancipation, William Lloyd Garrison.

To this evidence of Mr. Rankin I now add that of his brother, Dr. A. T. Rankin, who has very recently made the public statement that John Rankin preached immediate and unconditional emancipation as early as the year 1817, and taught it in the letters referred to in 1824. Mr. Johnson, however, seeks to discredit the testimony of Mr. Rankin by the same reference to age and uncertainty of knowledge which he makes to Mrs. Davis. He says "he is now ninety years old," and that "he may very easily be mistaken." He declares that "Mr. Rankin's anti-slavery life has been so long, so brave, and so uncompromising, that he may well be pardoned for not now recollecting that there was ever a time when he was not distinctively an advocate of immediate emancipation. The different periods of that life, with their varying lights and shades, are now, to his mind, so harmoniously blended together that he is hardly conscious that there was ever a time when his vision was not quite so clear on some points as it afterward became." This is admirable as a fancy sketch, and a left-handed compliment to Mr. Rankin; but what I have said of Mr. Johnson's criticism of the testimony of Mrs. Davis fully applies here, and I need not repeat it. It should be remembered, also, that Mr. Rankin's brother, who is a younger man, corroborates the evidence on which I rely, and that according to the first volume of Henry Wilson's "History of Slavery," page 178, at a meeting of the American Anti-Slavery Society in New York, years ago, when Mr. Johnson would scarcely have questioned the accuracy of his memory, John Rankin made the

same statement respecting his early and public espousal of immediate emancipation which is now disputed.

But I do not rest the case here, and shall show the trustworthiness of Mr. Rankin's recollection by his letters already referred to, written in the year 1824, and published in book form the year following. As an arraignment of slavery this book is as terrible as it is just. He shows it to be a curse to both master and slave, a horrid conspiracy against marriage and the family, an outrage upon the inborn rights of man, a blight and a blast upon every community in which it exists, a loathsome mockery of the very principle of free government, and a palpable violation of the express law of God. The writer of such a book who religiously believed what he wrote, as did John Rankin, could never have tolerated the thought of postponing the duty of emancipation for a day or an hour. But putting aside the general character of the book, I propose to remove all doubt or cavil by particular extracts from its pages, and to show that Mr. Johnson is mistaken in saying "there is not from beginning to end a single passage which shows that he had in contemplation as desirable or possible any such thing as" immediate emancipation. I quote from page twenty-four of the third edition, printed at Newburyport, Massachusetts:

And here I must remark upon one main objection to the emancipation of the slaves: it is that they are, in consequence of the want of information, incapacitated for freedom, and that it is necessary to detain them in bondage until they may be better prepared for liberation. But from the preceding remarks it is abundantly evident that they are now better prepared with respect to information for emancipation than they will be at any future period, and that less inconvenience and danger would attend their liberation at present than at any future time. It must be obvious to everyone capable of discernment that the inconvenience and danger of emancipation will increase in proportion as slaves become more numerous. Indeed, all the difficulties that attend emancipation are rapidly increasing, and they must certainly be endured at some period, sooner or later; for it is most absurd to imagine that such an immense body of people, most rapidly increasing, can always be detained in bondage, and, therefore, it is much better to endure those difficulties *now* than it will be when they shall have grown to the most enormous size.

I quote also the following on page one hundred and sixteen:

We are commanded to do justly and love mercy, and this we ought to do without delay, and leave the consequences attending it to the control of Him who gave the command. We ought also to remember that no excuse for disobedience will avail anything when He shall call us to judgment.

If this does not clearly inculcate the duty of immediate emancipation, words have no meaning or were made to deceive. But Mr. Johnson says he has a copy of Mr. Rankin's letters before him, "and can testify from actual examination that no such phrase as immediate emancipation is contained in them." Indeed! Can Mr. Johnson

really be serious in thus belittling the dignity of controversy? His dispute with me is not about a watchword or a battle-cry, but the proclamation of a doctrine. I find no fault with what he calls "the terminology of the Garrisonians;" but the question we are debating is not a question of "terminology" at all, but of ideas. What did Charles Osborn and John Rankin teach on the subject of emancipation, and when did they proclaim it? That is the point to be determined, and not the particular phraseology which they employed to convey their meaning. The words immediate emancipation aptly express a particular idea, but they are not divinely inspired, nor the only words that will express it. The anti-slavery pioneers were left perfectly free to choose their own forms of speech. "Abolition without delay and without conditions" means "immediate and unconditional emancipation." The principle for which these words stand may be expressed in very many forms of speech. Would Mr. Johnson reject Osborn and Rankin as false prophets for not using the Garrisonian "terminology," and before Mr. Garrison had been heard of by the public? Shall they be

"Without reprieve adjudged to death
For want of well-pronouncing shibboleth"?

The entire reasonableness and credibility of Mr. Rankin's statement are made evident by some kindred facts, and I refer to them for the purpose of still further showing how completely mistaken Mr. Johnson is in assuming that nobody in this country announced the doctrine in question prior to Mr. Garrison, in 1829. In Lundy's *Genius of Universal Emancipation*, for December, 1825, I find a vigorous article, in which the principle is clearly asserted and argued. I do not find the name of the writer, because the article seems to be one of a series, and I have not been able to find the preceding and following issues of the paper, which would probably show the author's name. But he was evidently a man of thought, who knew how to express it. I quote the following passage:

The slave has a *right* to his liberty—a right which it is a crime to withhold—let the consequences to the planters be what they may. If I have been deprived of my rightful inheritance, and the usurper, because he has long kept possession, asserts his right to the property of which he has defrauded me, are my just claims to it at all weakened by the boldness of his pretensions, or by the plea that restitution would impoverish or involve him in ruin? And to what inheritance or birthright can any mortal have pretensions so great (until forfeited by crime) as to liberty? What injustice and rapacity can be compared to that which defrauds a man of his best earthly inheritance, tears him from his dearest connections, and condemns him and his posterity to the degradation and misery of interminable slavery? * * * The cause of emancipation calls for something more decisive, more

efficient, than words. It calls upon the real friends of the poor degraded African to bind themselves by a solemn engagement, an irreversible vow, to participate no longer in the crime of keeping him in bondage.

This is a mere extract, but the purpose of the entire article is to show the duty and safety of immediate emancipation; and in proof of his position the author quotes sundry facts from Clarkson, on the subject of emancipation in the British Islands.

The same doctrine is declared, with still greater precision and emphasis, in an article published in the *Genius* for August 5, 1826. It bears evidence of having been written by a Presbyterian minister. After insisting that slavery is a crime, he says:

What has God told you about crime, or sin? To desist from it, or persevere? To desist. When? Now! Now!! Yes, mortal, he never gave man or angel a moment to consider—a minute to wait for the alteration of affairs, or for more favorable circumstances. If we are required to do right, we are required to do it immediately.

The subject of immediate emancipation is likewise discussed in the *Genius* for October, 1822, by Benjamin Lundy himself, in reply to a writer who has inveighed against the terrible consequences which would result from it, thus showing that the idea was then in the minds of men. Mr. Garrison, in all probability, read the articles to which I have referred at the time of their appearance, as he had read Rankin's book; and, if I were disposed to imitate Mr. Johnson's style of argument, I would insist that he must have borrowed his idea from them, or from Rankin or Osborn. I might urge that he was mistaken in saying to Mr. Johnson, in his later life, that when he adopted his battle-cry he was not aware that anyone else had used it, and that "his anti-slavery life had been so long, so brave, and so uncompromising, that he may well be pardoned for not remembering the fact." I might argue that "the different periods of that life, with their varying lights and shades, were to his mind so harmoniously blended together that he was hardly conscious that there was ever a time when his vision was not quite so clear on some points as it afterwards became," and that "the grandeur and intensity of his moral purpose, which was the same at all times and under every phase of opinion," made him "almost, of course, oblivious as to details." I will not apply this fanciful reasoning to Mr. Garrison, because it would be unjust both to him and Mr. Johnson, and because I think it unsafe to give a loose rein to the imagination in the conduct of an argument. My aim has been to vindicate the statements of Mr. Rankin, and this, I submit, I have perfectly accomplished.

Mr. Johnson next proceeds to notice the evidence of Mr. Osborn's

early and intimate associates and friends, which the reader of my article will remember. Of these witnesses I first referred to the well-known Levi Coffin, who in his published volume of "Reminiscences" states that Mr. Osborn proclaimed the doctrine of immediate emancipation, in Ohio, in 1816, and that he had espoused it in his early life. As a philanthropist Mr. Coffin is very widely known and worthily remembered. His devotion to humanity was a passion, while in the matter of integrity he was as guileless as a little child. He knew Mr. Osborn from his youth, and his statements are made positively, and from his personal knowledge. It will not do to say that his old age weakens the value of his testimony; for although he was an old man when he wrote his "Reminiscences," he had given the same evidence, as I have shown, in the year 1843, when in the prime of life, and only removed some twenty odd years from the time when Mr. Osborn's Manumission Society in Tennessee was formed. He is a competent and credible witness, and Mr. Johnson must impeach his evidence, or accept it as true.

My next evidence is the documentary statement of Daniel Puckett, Walter Edgerton, H. H. Way, Jacob Graves, John Shugart and Levi Coffin, published in the year 1843. I personally know all these to have been perfectly trustworthy witnesses and intelligent men, while three of them were intimately acquainted with Mr. Osborn and his anti-slavery position during his early life in Tennessee and North Carolina. They say the fact is "well known" that Mr. Osborn's position at that time was the same that it had been more than twenty-five years before. None of these men were then beyond the meridian of life, and their testimony must stand, unless it can be successfully assailed. How Mr. Johnson assails it we shall presently see.

I next proceed to notice the unanimous testimony of the Indiana Yearly Meeting of the Society of Anti-Slavery Friends, published in the form of a memorial, in 1852, in which the statement is positively made that Mr. Osborn preached the doctrine in question in 1814. This memorial, before it could be approved, had to be scrutinized by the several monthly and quarterly meetings, and the Meeting for Sufferings, and finally by the Yearly Meeting, which approved it *en masse*. The leading spirits in this society were William Beard, Henry H. Way, Enoch Macy, Levi Coffin, Jonathan Swayne, Thomas Frazier, Daniel Puckett, Isaah Osborn, William Hough, Walter Edgerton, Benjamin Stanton, John Shugart, Jacob Graves, and more than a score of others, many of whom were personally acquainted with Mr. Osborn's

position and labors in Tennessee and North Carolina. This statement, be it remembered, was made thirty years ago, and was not, therefore, the work of superannuated men. I know them to have been men of the highest character for integrity, and that nothing could have induced them to make a false statement respecting a matter within their knowledge. To discredit their testimony would be quite as unreasonable and ungracious as to question the concurring testimony of the eleven men who joined Mr. Garrison in the beginning of his great work respecting the material facts connected with his early career.

Now, how does Mr. Johnson dispose of all this evidence? Simply by styling it "the careless rhetoric of Levi Coffin and other associates of Mr. Osborn"! He says it is easy to see how, in their warm regard for their friend, and in their commendable desire to do full justice to his memory, they failed to make discriminations required by truth, and affirmed more than he ever claimed for himself." This is the legal logic of Oliver Johnson, who thinks I am "the victim of a credulity more amiable than discriminating or judicious," and that I have not "clearly understood the question at issue, or known just how to weigh the evidence in the case"! What does he mean by all this "careless rhetoric"? Does he not see that in discarding the whole body of evidence of Mr. Osborn's friends on the assumption that they were blinded to truth by their devotion to their leader he makes a precedent for setting aside all that has been said or written in glorification of Mr. Garrison by his friends and admirers? Does he not confuse and befog all the rules of evidence by which we can safely be guided in the search of the truth? Does he mean anything less than that the well-informed and conscientious friends of Mr. Osborn were, in fact, either knaves or lunatics? I fear the simple truth is—and I say it in all personal kindness—that Mr. Johnson has entered upon this controversy as the helpless victim of a foregone conclusion, and finds his way out of his dilemma so difficult and bewildering that he is obliged to set common sense at defiance. The judicial faculty seems to be wholly wanting. If our legal tribunals, sitting to hear and impartially decide questions of controverted fact, were to be guided by such loose and sentimental notions, the administration of justice would become a farce, and probably end in a tragedy.

Mr. Johnson, however, is not satisfied with his summary attempt to get rid of the testimony of Mr. Osborn's friends, for he goes on to argue that if the doctrine in question had been proclaimed at the time mentioned "it would not have failed to arrest public attention, and

throw a broad light over the whole country." When it was announced by Garrison, he says, "it was like a revolving light on a headland, casting its rays afar over the raging sea." He says "the whole land was startled into attention; the slaveholders were alarmed, and thenceforth had no peace," and that "it is morally certain that it would have been so in Tennessee if that light had been kindled there." Mr. Johnson's article is full of surprises, and this is not the least of them. I must again remind him that we are debating a question of fact, and, having conclusively shown that Mr. Osborn *did* proclaim this doctrine in 1814, the question about the consequences which he says would have followed concerns him quite as much as me. I might fairly leave him to wrestle with his imaginary consequences in his own way. But I will meet his argument directly, and expose its complete fallacy. This fallacy is found in the unwarranted assumption that public opinion in the South was as intolerant and inflammable in 1814 as it became in 1830 and the following years. This is notoriously not the fact, and it is marvelous that one so familiar with anti-slavery history as Mr. Johnson did not mention it. John Rankin writes me that while he was a young man a majority of the people of East Tennessee were Abolitionists, and that there was no law then forbidding emancipation; and I have already quoted his testimony that he afterward preached immediate emancipation to large congregations in Kentucky. His brother, A. T. Rankin, in a recent letter to me, confirms this testimony, and says that he frequently supplied a bookseller in Maysville, Kentucky, with copies of John Rankin's radical book already referred to, and that the State Abolition Society favored immediate emancipation. I have already quoted from articles in Lundy's *Genius* for 1825 and 1826 in favor of immediate emancipation, and I think no mob followed their publication. In 1826 the American Convention for the Abolition of Slavery was held in Baltimore, representing 81 societies, 71 of which were in the slave States.¹ In 1827 there were 130 abolition societies in the United States, of which 106 were in the slave-holding States, and only 4 in New England and New York. Of these societies, 8 were in Virginia, 11 in Maryland, 2 in Delaware, 2 in the District of Columbia, 8 in Kentucky, 25 in Tennessee, and 50 in North Carolina.² These societies were no doubt largely the result of the labors of such men as Charles Osborn and Benjamin Lundy. Anti-slavery feeling was widely diffused, and although it was not very

¹ Wilson's *Rise and Fall of the Slave Power*, page 170.

² Poole's *Anti-Slavery Opinions before 1800*, page 72.

intense, and the subject of slavery was discussed without passion, the people seemed to be honestly in search of some method of escape from its evils. These historic facts completely solve Mr. Johnson's riddle, and show why it was that from 1814 to 1830 the proclamation of immediate emancipation failed to startle the country. It was the Southampton Insurrection of Nat. Turner, in 1831, and indications of insurrections in other States the same year, which fired the Southern heart, swept these societies out of existence, and inaugurated "the reign of terror" in the South which lasted till its overthrow by the power of war. Then it was that Mr. Garrison's battle-cry was translated into a new dialect, and signalized the advent of the irrepressible conflict. Samuel Adams preached independence many years before it electrified the Colonies. He was the real Father of the Revolution; but he was obliged to bide his time till the multiplying exactions of the mother country finally prepared the people for the conflict, and to write on their banners that "Taxation without representation is tyranny." Nor does Mr. Johnson help his argument by his reference to George Fox and the "Inward Light." The central doctrine of Quakerism which this phrase expresses had been taught for centuries, and was borrowed from the New Testament. Fox simply coined a new name for it, and in an age of formalism and spiritual death gave it the stamp of a new revelation through the power of his singular personality and the impelling hunger of humanity for vital truth, which finally demanded satisfaction.

We are now prepared to deal with the final argument of Mr. Johnson, which he elaborates with great emphasis, and on which he seems to rely with much confidence. He says: "I challenge the production of a single line from the writings of Osborn between 1814 and 1830 in which he avowed the doctrine of immediate emancipation." He is still harping on his pet idea of a particular watchword; for he says I admit that Mr. Osborn "did not, in so many words," demand immediate emancipation, and that this "is tantamount to a confession that he did not demand it at all." I have already pointed out the fallacy of this notion, and shown that Mr. Osborn's position may be proved either by his acts or by the evidence of his early friends. If I have not already demonstrated by the latter that he avowed this doctrine in Tennessee, in 1814, then no fact can be established by human testimony; and, having done so, Mr. Johnson's surprise that he did not afterward affirm it, in express words, in his newspaper and Journal, is a matter of no practical significance. If it is incredible that Mr.

Osborn should believe in immediate emancipation in 1814, and not afterward avow it in his newspaper, it is equally incredible that he should all his life believe in gradual emancipation, and yet never once avow that. The negative fact on which Mr. Johnson raises a presumption against Mr. Osborn is thus met by the opposing negative fact on which I raise a presumption in his favor; for "I challenge the production of a single line from the writings of Osborn between 1814 and 1830 in which he avowed the doctrine of" gradual emancipation. In the language of Mr. Johnson, "the word never dropped from his pen, simply because the thought was never in his mind."

But I proceed to show that the *acts* of Mr. Osborn subsequent to 1814 harmonized with the testimony of his friends. When he removed to Mount Pleasant, Ohio, in 1816, and issued the prospectus of his newspaper, he found the colonization movement at its fever heat in that region. He had coöperated with his manumission movement in Tennessee till it lowered its standard by falling in with this scheme, which compelled his withdrawal, as I have heretofore shown by the testimony of his early friends; and now, in his new field of labor, where he found colonization the rage of the time and the only scheme of gradualism which commanded any attention, he entered upon his work. This subtle scheme of imposture and inhumanity became a national organization in the beginning of the year 1817, and became at once the great stalking-horse of slavery. But while it beguiled the great leaders of Abolitionism on both sides of the Atlantic, and subsequently enlisted both Garrison and Lundy in its service, Mr. Osborn opposed it from his early youth in Tennessee to the day of his death. He opposed it as a scheme of gradualism. He opposed it because it postponed the freedom of the slaves, and placed conditions in its way. While he never wrote or spoke a word in behalf of gradualism, he opposed, with all his might, this nefarious scheme which darkened the air, palsied the public conscience, and balked all efforts looking to immediate emancipation. He did not employ the particular phraseology of Garrison and Elizabeth Heyrick, which was then unknown as a shibboleth. The South had not yet been kindled into a blaze of excitement and rage. The hour was not yet ripe for any battle-cry, but waited on the slow and steady revolution of moral forces and the teaching of events. African colonization had draped over the abomination of slavery, and debauched the judgment of the country. Like Aaron's rod, it had swallowed up all else. It was the grand stumbling-block of philanthropy, and the colossal falsehood of the

generation. There was but one thing for a thoroughly earnest anti-slavery man to do, and that was to fight it. This Mr. Osborn did, single-handed and alone. Instead of shouting for immediate emancipation, "in so many words," he girded himself for battle against the most formidable and insidious foe of freedom that had ever stood in its path. He was a *doer* of the word from his youth, and I have a right to define his position by the unambiguous testimony of his life; and yet Mr. Johnson insists that he was a teacher of gradual emancipation! He seems to believe this, not on the strength of the evidence, but because of the overwhelming proof to the contrary. He loses himself in his metaphysics, and would try Mr. Osborn's anti-slavery orthodoxy by a catechism constructed more than thirty years after his death.

Before leaving this branch of my subject I must briefly refer to some minor statements of Mr. Johnson, by which he endeavors to strengthen or embellish his statement. He quotes from Mr. Osborn's Journal in 1840 his declaration that he did not "approve of Friends joining with other associations for the promotion of the great and good cause of abolition." For this Mr. Johnson calls him "a narrow sectarian." But it should be remembered that at this time his society was fully committed to the broadest anti-slavery principles. It had several years before expressly espoused the doctrine of immediate emancipation, and he undoubtedly believed it would be faithful to this testimony. He made the mistake in supposing his church would be an adequate organ of anti-slavery work for its members; but to his great surprise and sorrow he soon afterward discovered that Friends would neither coöperate with associations outside of their body nor work for the cause within it. He was thus obliged by his conscience and his fidelity to the slave to withstand the apostacy of his society and to coöperate with those who were not members. He loved humanity more than the peace and unity of a sect, and was degraded from his honored position as a member and persecuted by the ruling power because he was *not* "a narrow sectarian." He was faithful to the light as he saw it, taking no account of the consequences, and for this we should honor him.

Mr. Johnson quotes from Edgerton's "History of the Separation of Indiana Yearly Meeting" a statement that the New England Anti-Slavery Society in 1832, and the American Anti-Slavery Society in 1833, "took an important step, quite in advance of any previous organization," and that while "all others had advocated a system of

gradual emancipation, these boldly took the ground that nothing short of immediate freedom to all could satisfy the demands of justice." But the context shows that Mr. Edgerton had reference to these particular societies in contradistinction to the colonization and other latter-day movements favoring gradual emancipation, in which Garrison and Lundy had joined. He had no reference, of course, to the manumission movement in 1814, for only a page or two before he had referred to it as favoring immediate emancipation, while he had united with the Society of Anti-Slavery Friends three years previous in a carefully prepared and thoroughly scrutinized document in witness of Mr. Osborn's position. His statement is most obviously to be interpreted in harmony with what he had deliberately written and repeated before, and not as its contradiction.

Mr. Johnson quotes my saying that Mr. Osborn's paper "was just such a newspaper as Elijah P. Lovejoy was murdered for publishing in Illinois," and says it could not, therefore, have been "an advocate of immediate emancipation, for the *Alton Observer* never took that ground." This seems a little disingenuous, though I acquit Mr. Johnson of any intentional unfairness. In making my statement, as he well knows, I was discussing the question of priority of Osborn's paper over that of Lundy, and directing the attention of the reader to the special fact that it was an anti-slavery paper in its character, which I proceeded to prove by extracts, having before shown Mr. Osborn's position on the question of immediate emancipation. Let me add, however, that Lovejoy *did* assert this principle, and declared that it was to be effected by the masters themselves, who were to be persuaded to it "exactly as a distiller is to be dissuaded from making intoxicating liquors." Mr. Garrison, himself, was not in favor of emancipation by force.

Mr. Johnson quotes from Mr. Osborn's Journal the statement that "about this time (1830) the slumbering babe of emancipation arose, and with manly purpose and Christian zeal began to plead the cause of the oppressed in a voice that was soon heard in all the land," etc. He argues that this shows that it was in 1830, and not in 1814, that this "slumbering babe arose," and "began to plead the cause of the oppressed." I submit that this is rather far-fetched, since Mr. Osborn does not say that the "babe" was *born* in 1830, but only that it had been sleeping—undoubtedly under the anodyne of colonization—and was then awakened, having been born in Tennessee sixteen years before. His meaning is evident from a passage in the Journal on the

page immediately preceding that from which Mr. Johnson quotes, and which he seems not to have noticed, which says "emancipation was thrown into the cradle of colonization, there to be rocked and kept quiet until the last slaveholder should become willing to send his human chattels to the colony." Why its voice was not sooner "heard in all the land" I have already explained.

Mr. Johnson says Osborn did not belong to the "Martyr Age" of Abolitionism, but to the dispensation of gradualism, which was "not a struggle, or a conflict, but a reform." But Mr. Garrison himself belonged to this dispensation till the latter part of the year 1829, while Mr. Johnson has admitted, in a letter to the *Cincinnati Gazette* published two or three years ago, that Osborn was an immediate emancipationist in 1830. The margin which thus divides these reformers is very narrow, on Mr. Johnson's own showing. In fact, Osborn holds the decided advantage, since it is not disputed that during his whole life he opposed African colonization, which so completely absorbed or superceded every other form of gradualism.

I now pass to the consideration of my second proposition, affirming that Mr. Osborn edited and published the first Abolition newspaper in this country. On this question it is needless to speak at any length. In my former paper I stated that the anti-slavery character of the *Philanthropist* is quite as clearly defined as Lundy's *Genius*, which succeeded it, or Birney's *Philanthropist*, published in Cincinnati in later years. I see nothing in Mr. Johnson's reply which calls for a reconsideration of this statement. He says Mr. Osborn's *Philanthropist* was not even an anti-slavery paper, in the sense that the *Genius of Universal Emancipation* and the *Liberator* were such. "These papers," he says, "were founded distinctly—it is hardly too much to say exclusively—to promote the abolition of slavery," and that "Osborn's paper was established for a variety of objects, of which the discussion of slavery was one, and that by no means paramount to the others." How Mr. Johnson has become so well informed about Mr. Osborn's paper I do not understand. I have gone over it carefully, and I repeat the statement heretofore made, that while he did not devote his columns *exclusively* to the question of slavery, it was "the burden and travail of his heart." As to Lundy's paper, I have in my possession a good many numbers of it, scattered through different years, and I have recently had the opportunity of looking through bound volumes of it beginning in 1825, and extending over nearly two years. It was very much such a paper in its makeup as that of Mr.

Osborn. In several numbers I notice a column headed "Temple of Muses" and "Ladies' Literary Cabinet." In others I find the heading, "Muses' Bower and Miscellaneous Department." I find "Anecdotes," "General Intelligence," and selected articles of topics other than slavery. There are moral and theological articles. In looking over the contents of the first volume, I find "Summary Statements," "Abridgments, etc., of Foreign and Domestic Intelligence," "Miscellaneous Articles," "Anecdotes," etc. There are articles on temperance, and peace, but I think scarcely so frequent as in the *Liberator*.

Mr. Johnson says "Osborn established and continued less than fourteen months a local, semi-religious, family paper, in which slavery was discussed in common with intemperance, war and other evils, and with no distinct purpose of creating a lasting and permanent impression." With about the same propriety he might have said all this of Lundy's paper. The *Philanthropist* was not a "local paper," but circulated in several States, North and South. It was in no sense a sectarian paper. It discussed slavery "in common with intemperance, war and other evils," but so did the *Liberator* and the *Genius*, as their columns will show, Mr. Johnson to the contrary notwithstanding. These papers were distinctively, but not exclusively, devoted to slavery, and the same is true of the *Philanthropist*.

Mr. Johnson says Osborn "was so lacking in breadth of view and tenacity of purpose that he abandoned his enterprise in a little more than a year." This is wholly unwarranted. He had sufficient "breadth of view" to battle for a great cause during a long life, and was never wanting in "tenacity of purpose." He gave up his paper because he preferred the wider field of the traveling ministry, which he had chosen as the work of his life, and in which he believed he could be more useful.

Mr. Johnson says "the paper was intellectually feeble, its testimony against slavery not a hairsbreadth beyond that of the Society of Friends, which, as everybody knows, stopped short of immediate emancipation." This is another random statement. Mr. Osborn's real vocation was not that of an editor, but a preacher, but the tone of his anti-slavery articles is sound and unequivocal, as shown by the extracts given in my former article. As regards the Society of Friends, it committed itself to the principle of immediate emancipation in 1837 and 1838, to which it became recreant when it turned its batteries upon Mr. Osborn for maintaining it.

Mr. Johnson says, "We learn from Mr. Lundy himself that his

torch was all ablaze before he ever heard of Osborn or his paper;" but he offers no proof of this statement. So far as I am able to learn, Lundy's first utterance on slavery was his "Appeal," a copy of which is now before me, published anonymously in 1816, being about two years after Osborn's movement in Tennessee. But the point made is not material to this discussion. His "torch" may have been "all ablaze" before this date, but the question I am debating is Osborn's precedence of Lundy in the publication of an anti-slavery newspaper, and Lundy is my witness that he began the publication of the *Genius* because Elisha Bates, to whom Osborn had sold the *Philanthropist*, lowered its anti-slavery character. This is stated in the life of Lundy, and also in substance in the first number of the *Genius*.

Mr. Johnson says that "Lundy's torch was so well lighted before he ever saw Osborn that it burned on after the fire of the latter had paled." This statement is unwarranted. We are not told when Lundy first saw Osborn, and cannot therefore tell how well his "torch" was then "lighted," while it is absolutely untrue that the "fire" of the latter ever "paled."

Mr. Johnson says there is every reason to believe that the editorial in the *Philanthropist* containing the words "Genius of Universal Emancipation," as quoted from Curran, was written by Lundy. This is mere unverified assertion. As I have heretofore stated, Lundy's contributions were written over some special signature, which distinguished them, while his *Life*, published in 1847, shows that Lundy left Ohio soon after his editorial engagement with Osborn, and was in Missouri, engrossed in his business affairs, when the editorial in question appeared in the second volume of the *Philanthropist*. I now admit, however, that I was mistaken in my conjecture that the name of his paper was suggested to Lundy by this editorial, having quite recently found an extract from the fourth number of the *Genius* from which it appears that the reading of Curran's speech, while quite young, made a powerful impression on his mind and led to the selection of the name of his paper. The point, however, is not at all vital in this controversy, which relates to the priority of Osborn over Lundy as an anti-slavery editor and publisher; and on this question I need only add that Lundy himself is my chief witness, as the reader of my former article will remember.

I have now responded to every passage in Mr. Johnson's paper which seems to invite either reply or comment, and I thank him for the occasion his argument has afforded me for more completely estab-

lishing the truth of my affirmations. I have written plainly, and with the directness and emphasis I am accustomed to employ in any serious discussion; but I think I have not been prompted by either passion or prejudice. I have not, as he supposes, sought to place any of the laurels of Lundy or Garrison upon Mr. Osborn's brow, or to pull down or build up the fame of any leader, but only to vindicate the truth of anti-slavery history, which is more to be prized than the glory of any man or party. Nothing, certainly, has been farther from my aim than to gratify any man's "family pride," or gain for him "a cheap notoriety." I did not personally know Mr. Osborn; and although he was a brave, sincere and conscientious man, I have never been in sympathy with his leadership in the doctrinal controversy which led to what I have always considered a needless division of the Society of Friends. I have therefore written without any personal bias. Mr. Johnson has evidently entered upon his task in a different frame of mind, though I do not doubt the sincerity of his endeavor to state the truth. I have long honored him as one of the bravest and most self-denying leaders and pioneers of a great cause; and if in the interest of truth I have pointed out what seems to me the waywardness of his argument, I have set it down entirely to the fervor and absoluteness of his devotion to his great chief. This has disturbed the just equipoise of his mind and prompted him to rush to the defense of a friend who has not, in fact, been attacked. Assuming that the historic position of Mr. Garrison is in some way antagonized by the claim I have made for Mr. Osborn, he has thus been led, unwittingly, to withhold from the latter the tribute of justice and fair-play which are rightfully his due. I hope I have made this so clear that Mr. Johnson himself will not fail to realize it, and I am sure, at all events, that the truth will be served by this discussion.

GEORGE W. JULIAN.

WHAT THE TARIFF LAWS HAVE DONE FOR US.

I COME before you to state some facts that have fallen under my observation in the fifty years of my practical connection with our industrial interests. I have been identified with the iron interest in all its branches, from the digging of the ore in the mine to putting it into the varied forms and shapes of manufacture and machinery. To-day I employ 1,000 workmen in the City of New York, and 2,000 more, men and boys, skilled and unskilled labor, in the ship-yard and iron-works at Chester, or 3,000 altogether. These, with their families, represent at least 12,000 people dependent on my employment for their support. My pay-roll is \$12,000 a week in New York and \$21,000 in Chester, or \$33,000 a week total. These men represent all nations, and are engaged in 40 branches of mechanism. I am familiar with their condition now and with what it was before they came to this country, and the wonderful change that has taken place in that condition speaks volumes for the results of our policy of protection, which has made our land seem as a heaven on earth for the immigrants of the world; and I am familiar, too, with all the branches in which they are engaged. I am here, gentlemen, not to speak for any special branches of industry, but for all our industries. I have no special plea to make for ship-building. In what I shall say, drawn from practical experience, I represent myself alone, but myself as engaged in four of the principal interests affected by the tariff, namely, farming, manufacturing of iron, ship-building, and ship-owning. I believe in protection, not for a single industry, but for one and all, because I believe in the principle of protection to develop our country and employ our labor without regard to revenue. If a syndicate of capitalists were to meet to-day in Wall street, and were to guarantee sufficient money yearly to pay the expenses of the government, we would still require protection for American labor, and a cry would come from the farmers of the Northwest for a home market for their products.

It would be a good investment for England to pay the annual expenses of our government so that no taxation need be levied on our people, and to receive in exchange free trade. It can be shown from the highest English authorities who have examined our industrial conditions that only a few of our great industries could survive if our sheltering tariff were removed. Have free trade, and where would our iron industry be? Not a blast furnace could exist in the United

States, although last year we took from the mines nearly 24,000,000 tons of coal, ore and limestone to make over 5,000,000 tons of iron.

WHAT THE TARIFF LAWS HAVE DONE FOR US.

What was the occasion for the creation of our present tariff laws? They were created to meet the emergencies of our civil war, to develop our country, and to elevate labor. How have they answered the purposes of their creation? To answer this question intelligently we must see what was our condition in the early years of their operation, and what progress we have made under them. I ask your careful attention to the following striking facts:

What was our condition in 1865, at the close of the war? Our country was crippled, half of it largely devastated, a large part of the population of the conquered sections without employment, and a disbanded army of men in much the same unemployed state in the North. Our credit was largely impaired, our currency being worth only 70 cents on the dollar. We had before us, like a vast mountain, a national debt of \$2,680,000,000 to pay off. Starting with such disheartening conditions, what have we done under our tariff laws?

On that debt, in the seventeen years since 1865, we have paid in interest \$2,047,500,000, beside a premium on gold of \$409,500,000. Putting these figures in the form of a table, we have this remarkable showing:

National debt June 30, 1865.....	\$2,680,000,000
Interest paid on debt from June 30, 1865, to June 30, 1882.....	2,047,500,000
A total amount of.....	\$4,727,500,000
Deduct total national debt June 1, 1882.....	1,639,000,000
And we have actually paid in the 17 years.....	\$3,088,500,000
Add now to this the premium paid on gold in those years up to 1879, and we have.....	409,500,000
Or a grand total payment of.....	\$3,498,000,000

Thus we see that we have paid in interest alone much more than the present amount of our whole debt, and in interest and principal together far more than our whole debt at its highest point, viz., July 1, 1865. What has free trade to offer against this? What would have been our condition, and how much of this amount do you think would have been paid, had we been under a free-trade system? Would not our nation have been bankrupt and our industries ruined as our shipping is to-day? And while surviving and struggling, would we not in every industry, as in shipping, have been dependent upon and paying tribute to Great Britain?

Now, let us compare the conditions of our country during that period of seventeen years in our customs and internal revenue—which is, in fact, as illustrated by Great Britain's policy, protection or free trade, viz., foreign or home taxation—and see what has been the revenue derived from each of these sources.

Year.	Customs.	Total imports.	Internal revenue.
1865.....	\$84,928,000	\$238,745,580	\$209,464,000
1866.....	179,046,000	434,812,066	309,226,000
1867.....	176,417,000	395,863,100	266,027,000
1868.....	164,464,000	357,436,440	161,087,000
1869.....	180,048,000	417,506,379	150,350,000
1870.....	194,538,000	435,958,408	181,890,000
1871.....	206,270,000	520,223,684	143,093,000
1872.....	216,370,000	626,595,077	130,642,000
1873.....	188,089,000	642,136,210	113,729,000
1874.....	163,103,000	567,406,342	102,409,000
1875.....	157,167,000	533,005,436	110,007,000
1876.....	148,071,000	460,741,190	116,700,000
1877.....	130,956,000	451,323,126	118,630,000
1878.....	130,170,000	437,051,532	110,581,000
1879.....	137,250,000	445,777,775	113,561,000
1880.....	186,522,000	667,954,746	124,009,000
1881.....	198,159,000	642,664,628	135,264,000
Total	\$2,841,568,000	\$8,175,201,719	\$2,637,686,000

Now, I ask you, gentlemen of the Tariff Commission, and I ask any free-trade advocate, whether he would have been willing to be taxed personally?

Think of it—nearly *three thousand five hundred million dollars* of indebtedness paid off since 1865, starting from an almost bankrupt condition as a nation! Then consider our State, county and municipal debts that we have paid. If I were in a similar condition, I should like to have somebody take my property and bring it out for me in such shape as that; wouldn't you? No wonder the nations of the world, that knew of our condition when the war was over, have marvelled at what we have done since then. For our achievements in nearly all directions have been equally great with our debt-paying. Our progress has been great almost beyond belief. Our manufactures have increased till in 1880 they reached the enormous sum of *eight thousand millions of dollars*, while besides this we have every year imported manufactured goods—last year to the extent of \$300,000,000. And this does not take into account the equally marvellous development of our agricultural interests, the opening up of new territory, the vast extension of railroads, and such a general onward march of national enlargement and prosperity as the world never saw before. All this has been done under our wise tariff laws, under the true principle of protection for home industries. I ask the free-

trader, the tariff-for-revenue man, and the croakers altogether, in view of the facts, if these tariff laws have not worked well for the country's interests. I ask them to say wherein they would have them work better. I challenge them to show how we could have made such a record under free trade or a tariff for revenue.

To show with what apprehension English economists and manufacturers looked upon our progress under our tariff, read this testimony from three British sources:

A. J. Wilson on "Resources of Foreign Countries."

There is no use in denying the plain fact that the States have succeeded by their high tariff policy in diverting a considerable part of the industrial energies of the community from the pursuits natural to, and most profitable in, a new country, to the highly artificial and, for America, mostly very expensive industries of long settled and civilized nations. Were the sheltering tariff swept away, it is very questionable if any, save a few special manufactures of certain kinds of tools, machinery, railway cars and fancy goods, and a few of the cruder manufactures, could maintain their ground.

Annual Liverpool Cotton Circular.

Then this country has suffered very severely of late years from the increasing stringency of foreign tariffs. There has been a growing tendency evinced in most countries to protect their own industries, and in every such case we are the chief sufferers, for we live, as already said, by exchanging our manufactures for the necessities of life. The United States was at one time a large customer for our iron ware and textile fabrics, but the hostile tariff she has enforced since the civil war has nearly driven us out of her markets, and has built up a vast system of manufactures which completely supplies her own wants, and leaves something to spare for competition with us in foreign markets. The free-traders of this country console themselves by thinking that she is the chief sufferer, but whether this be so or not (which is very doubtful), the fact remains that her markets are almost lost to us, and we, on the other hand, are constantly more dependent upon her for food and raw material. For this we have no means of paying except by money or bonds, or indirectly by our credits with China, Brazil and other countries, from which America imports tea, sugar, etc. Our colonies all follow in the wake of the United States, and do their best to stimulate their own manufactures by closing their markets against ours.

London Cablegram to New York Tribune.

The announcement of the introduction of bills in the House of Representatives at Washington proposing the reduction of iron duties rouses the liveliest hopes among British manufacturers. Leading journals in the iron districts hail the prospect of once more arresting the present development in American iron and steel manufacture. *The Newcastle Chronicle* declares it has reason to entertain great hopes of the success of these measures. It considers the free admission of iron ore as intended to secure a Canadian supply, but it would result in increasing the ore imports from England and Spain. If free ore were secured free coal would necessarily follow, with a general increase in English exports. *The Chronicle* declares these measures to be the most important news cabled for a long time. *The Economist* says the effect upon the English iron trade would be enormous. It fears lest the proposals may be too favorable to English trade to have any chance of adoption.

Here, in these extracts, you have the honest views of men working in the interests of English capital and labor. Honest, because every

step in this country towards withdrawing protection from American interests "rouses the liveliest hopes among British manufacturers." Why is that the case, may I ask you? Is it not, should a reduction of the tariff laws be effected to such an extent that Englishmen would "hail the prospect of once more arresting the present development" in American industries, that American capital would be supplanted with British, and the payment of remunerative wages to laborers with the starvation pittance of European nations? You have listened to long and able arguments on the part of free-traders, but wherein do their pleas differ from the foregoing expressions of Englishmen? Are they honest friends of American labor, or are they allies of foreign capital and labor?

I do not doubt, gentlemen, that with the change of our condition, modifications and changes in our tariff laws have become wise and necessary. To suggest those modifications is the duty laid upon you. I do not know of any commission of nine men that ever had imposed on them a duty more trying or a responsibility more grave. Upon what is done with our tariff laws depends the prosperity and advancement of our fifty millions of people. The just and right execution of your delicate and difficult task will entitle you to a nation's gratitude.

The system which you will perfect will put an end to all occasion or excuse for the continuance of the internal revenue war taxation, which is not only a heavy burden upon the industries directly concerned in its operation, but paralyzes some of our most interesting and useful manufactures, and diminishes by many millions our annual exportation to South American and other countries whose trade is naturally ours.

A FARMER'S INTEREST IN PROTECTION.

1. To call your attention now to the first of the four industries which I named, I want to speak briefly of my interest in the tariff *as a farmer*. I have for thirty years farmed 400 acres of land, and now farm 1,100 acres. It was studying the wonderful advantages the farmer derived from having the manufacturing industries developed at home that made me what I am to-day, a protectionist, believing in the protection of every great industry till it is developed to a point where it has an equal chance in competition in the world's markets, and believing that protection should not be limited to a tariff for revenue only, or anything short of what will elevate and protect American labor. As a farmer I had confidence in these forcible words of the

great philosopher, Dr. Benjamin Franklin, who, after his close observations in England in 1791, wrote from London to Hon. Humphrey Marshall, Sr., as follows:

Every manufacture encouraged in our country makes a market for produce within ourselves, and saves us much money to the country that must otherwise be exported to pay for the manufacture supplied.

Here in England it is well known and understood that wherever a manufacture is established which employs a number of hands, it raises the value of land in the neighboring country all around it, partly by the greater demand near at hand for the produce of the land, and partly from the plenty of money drawn by the manufacturer to that part of the country.

It seems, therefore, the interest of our farmers and owners of land to encourage our manufactures in preference to foreign ones imported among us from distant countries.

And I believe, too, with Andrew Jackson, the hero of the Hermitage, when he says, "Build your factories and workshops close to your plantations and your farms, and you will confer inestimable and innumerable blessings on the whole of the American people by that policy." Do these words mean that we shall take the product raised in Tennessee to Great Britain, 3,500 miles from the plantation, to reach the factories? Or that we shall buy iron from the mines 3,000 to 4,000 miles away and leave the ore undeveloped in our own inexhaustible mountains? No, they mean that Jackson knew that by doing both the raising and developing and manufacturing at home we should confer inestimable blessings on our people. He recognized God's plan in making men fit for a diversity of employments, and that if this nation was to become great it must furnish employment within itself for all these diversified gifts. This idea is the very bottom principle of protection. What has not this principle done for us? It has started all sorts of industries, to suit all kinds of genius found among our people.

When the charge is made, as it so often is, that protection is for the benefit of the few at the expense of the many, and that it makes the farmer pay more for the tools he uses and the clothes he wears in order to put profits into the full pockets of wealthy manufacturers and monopolists, I recall the wise words of Franklin and Jackson which I have quoted, and think there is another side of the question for the farmer to consider. I ask you, gentlemen, and I ask the farmers, to compare the different sections of our country, and see what was the result in those States that followed the idea of these statesmen, and then see the difference in those States that did not heed it.

Look at this farming question a moment. It is charged that the farmer suffers great extortion from the enormous prices he has to pay, under the tariff, for carrying on his farm.

I have calculated the implements and outfit necessary to carry on a 1,100-acre farm, and find the list to be as follows:

THE BURDENS THAT THE FARMER HAS TO BEAR UNDER OUR
PRESENT TARIFF LAWS.

A list of the working teams, cattle and tools I use on a farm of 1,100 acres, 500 acres of it under cultivation—wheat, rye, oats, corn and grass:

Eight horses	\$1,600.00
Three yoke of cattle.....	480.00
Three ox carts.....	165.00
Four horse carts.....	200.00
Four farm wagons.....	300.00
One market wagon.....	100.00
Eight sets harness.....	320.00
Four sets cart harness.....	100.00
One mowing machine.....	90.00
One reaper.....	110.00
Twelve forks.....	10.00
Twelve shovels.....	9.50
Six spades.....	6.00
Lot of sundries.....	100.00
One roller.....	40.00
Plows and harrows.....	125.00
One threshing machine.....	450.00
Total.....	\$4,205.50

If the tariff were entirely abolished the farmer would not think of importing his horses, oxen, mowing machines, reapers, threshing machines or farm wagons. Out of the above articles he would not import over \$1,300 worth.

Suppose these \$1,300 worth cost 40 per cent. more caused by our tariff; that would amount to \$520. All these articles are good for ten years, so that his entire burden on an 1,100-acre farm would be \$52 a year. Compare this with the advantages to him of having a home market. His neighbor who makes these articles for him pays more for his product, his children and family are better fed, educated and clothed than any people in the world engaged in the making of farm implements. The farmer, when he understands the benefit of protection to him, will be no longer deceived by the men who are preaching free trade to him.

This, then, is the burden I suffer under our tariff laws; and the average endurance of these implements is ten years.

But I have learned that to have a town within eight or ten miles of my farm, with factories employing any number of hands, increases largely the value of the land around the whole circle, as Franklin says. One of my farms is five miles south of Poughkeepsie and six miles

north of Wappinger's Falls. In each of these towns are some iron works, shoe factories and cloth factories. Hence, no matter what the price of grain is in the foreign market, I can live, for I have a market at home. The perishable produce that could not be sent to a foreign market is sold at home for five times what it cost me to bear the tariff burden on my tools and clothing. How many farms all over the land are in the same condition? The farmer is largely dependent for his profits on the home market that is furnished by the industries which protection has enabled us to establish; and no man is more interested in the work of your Commission, and in the maintenance of a just and equitable tariff, than is the farmer. By the building of manufacturing towns all over our land, who can estimate the value that has been added to the farms of the nation?

WHERE IS THE MONOPOLY?

A few facts now on the befogged question of monopoly. Where lies the monopoly? Consider these figures:

Our last year's imports were valued at.....	\$642,000,000
Of this amount the articles admitted free valued at.....	202,000,000
And those dutiable at.....	440,000,000

Now of the principal *free* articles let us see what industries were mostly benefited.

Coffee	\$56,900,000
Hides	27,700,000
Chemicals	23,500,000
Tea	21,000,000
Rubber	11,000,000
Silk—raw, etc.....	12,000,000
Here is over 75 per cent. of our free imports, viz.....	\$152,100,000

And the manufacturers' small proportion of interest can be clearly seen. The only complaint would probably come from the silk-growers.

Our principal dutiable articles imported are:

Sugar	\$92,000,000
Wool	45,000,000
Iron and steel.....	51,000,000
Silk	32,000,000
Cotton	28,000,000
Flax	21,000,000
Tobacco.....	6,000,000
Total.....	\$273,000,000

THE FARMER'S INTEREST IN THE FREE LIST.

Here is over 60 per cent. of our dutiable imports, and of this protection who has the monopoly?

Directly, at least 50 per cent. is for the benefit of the agriculturist, and of the manufacturers' share, viz., 50 per cent. indirectly by increased demand and consumption near at hand, employment of labor, development of home interests, wealth and money circulation, we find 95 per cent. benefiting *all* other industries, and fully 75 per cent. of which is a clear saving at home to our farmer for his wheat, corn, potatoes, vegetables, chickens, eggs, butter, milk, beef, fruits, etc., without loss of freight, uncertainty and delay by long transportation. Every cent turned over in business to your neighbor leaves a profit to you and conveys the same profit to him.

The farmer should reflect, too, on what would have been his condition had the whole burden of the national debt been thrown on him, as it must have been had not our manufacturing industries been developed under a protective tariff, and thus created a vast property to take its share of the debt burden, besides furnishing the farmer his home market.

THE IRON INTEREST.

The iron interest is national, not sectional. To the three great wants of man, bread, clothing and fuel, must be added a fourth—iron. Look at the condition of man before he had developed iron, and consider now the high degree to which this great industry has elevated him in supplying the other wants—bread, clothing and fuel. What have the engine, the railroad and machinery, in its many thousand applications, done toward the civilization of man? For centuries now iron has been an essential to civilization. The nation that makes no use of iron is a barbarous nation. The nation that cannot produce iron must forever be a weak and dependent nation, without the means of self-defense.

England early recognized the innumerable uses and advantages of iron, and earliest developed her iron interest. She is as far ahead of the other nations in her iron and coal interests as we are in breadstuffs and cotton. Her resources in iron and coal, and the wise use she has made of them, are what have made England the richest nation and the greatest manufacturing nation of the world.

The fact must not be lost sight of that iron, being one of the necessities to man and nations, like bread and cotton, is something for which no nation can afford to be dependent upon another nation. The

nation that produces the iron will inevitably be the greater, and able to control the other. Let us see how iron is distributed and developed among the important nations and the power it confers. From the Annual Report of the Iron, Steel, and Allied Trades of Great Britain to the British Iron Trade Association, in 1880, these statistics are taken :

PRODUCTION OF FIG IRON IN PRINCIPAL COUNTRIES IN 1880.

	<i>Tons.</i>
Great Britain.....	7,721,833
United States.....	4,295,414
Prussia.....	1,950,000
France.....	1,733,102
Belgium.....	610,000
Total.....	16,310,349

Thus it will be seen that England alone produced nearly one-half of the total of these five countries, while England and the United States together produced 12,017,247 tons, or three-fourths of the whole. Could we afford to let England's production increase and ours decrease, till we, with the rest, should be so almost wholly dependent upon her?

I firmly believe that were it not for iron, and the use we have made of it, you could not hold this immense territory known as the United States under one central government. Then our brethren beyond the Rocky Mountains would have to sail round Cape Horn, 15,000 miles, to come to make laws for the nation, or down the Pacific Ocean, crossing the Isthmus of Panama, again reshipping at Aspinwall to New York. All of our patriotism, love of country, even the influences of the Christian religion, could not control this vast territory under one central government. Our brethren would say we cannot suffer this great inconvenience. We must have a government of our own. With all the great natural advantages of this country, if this resource of iron had been withheld, would we not be apt to cry that the Great Father of the Universe made a mistake in not giving iron to develop the other resources? And when we have the iron, shall we now leave it in the mine undeveloped, and depend on foreigners to supply a material of so vast importance to us, and with no other reason to give only that we refuse to degrade and crush labor?

There can be but one answer. We must continue to give iron the protection needed to develop the vast resources as yet untouched in the mine. Why, this interest in this country to-day gives employment to one-sixth of our actual working population.

Much is said about "monopoly" in connection with this interest. Indeed, it is called the "father of monopolies." I have been engaged in this interest more extensively, perhaps, than in any other, and I want to find out—for I never could yet—where the monopoly is. In 1880 we imported \$80,483,365 worth of iron and steel, showing that we required that much more than we could produce. Yet capital was perfectly free to go into the production of iron. Why was not the capital found to supply from our own mines and furnaces that \$80,000,000 worth? Moreover, in the ten years from 1870 to 1880 we imported \$430,223,753 worth. Why did we not find capital to produce that supply at home? As a practical iron manufacturer, I will show you why. There were three difficulties in the way.

1. *Transportation.* I have obtained maps of England, Scotland and Wales, showing the principal iron, coal and limestone deposits, the iron centers, Ayrshire, Lanarkshire, Cleveland, Cumberland, Staffordshire and South Wales, and their location and distance to market. These maps show that Great Britain has the ore, coal and limestone, of which iron is made, in greater abundance, within a smaller space, than any other nation. Hence she possesses an advantage of location which renders it impossible for other nations to compete with her in the iron industry, without protection.

To illustrate what an advantage this alone gives: As these maps show, the average distance in England, Scotland and Wales from the place where the coal, ore and limestone are found to the place where the furnaces are located, is from five to ten miles in the Scotch and eight to ten miles in the English and Welsh districts. The average distance from the furnaces where the ore is made into pig iron to the home market for consumption, or to the seaboard, is ten miles. It takes $2\frac{1}{2}$ tons of ore, $1\frac{1}{2}$ tons of coal and 1 ton of limestone—or 5 tons of raw material—to make 1 ton of pig iron. The average cost in England, Scotland and Wales of getting this raw material to the furnaces is only two shillings a ton of their money, or fifty cents of ours. The cost of transporting the ton of pig iron to the home market or seaboard for shipment is only fifty cents more, or a total transportation cost of \$3. While the cost of shipment to this country is 30 per cent. less from Glasgow to New York than it is from Pittsburgh to New York; the one being by water, the other by rail, and the iron very often being taken by the ship as ballast.

How is it in the United States? The average cost of getting the coal, ore and limestone—all of which we have in abundance—from

where they are found to the furnace is \$2 a ton, or \$10 for first transportation alone, besides the higher cost of labor for mining the ore. To get the ton of pig to market costs \$1.50 more, or a total transportation cost of \$11.50 against Great Britain's \$3—a difference against us of \$8.50 a ton. It will be seen that this difference in the haul alone in the two countries is more than the \$7 per ton duty now given as protection to pig iron. These facts, deduced from official statistics, cannot be questioned.

I appeal to you, gentlemen, as though I were talking to nine capitalists who were discussing whether they should invest capital in the iron business. If these statements are correct, would you be prepared to put your capital into the iron interest under these conditions?

It is true, there are sections of our country where to some extent we have coal and iron ore almost as conveniently located as they are in England, but as yet those sections are undeveloped, are without railroads to make them available to market, and, therefore, are at present out of the consideration. Thus I have given you difficulty number one, explaining why we imported \$80,000,000 worth of iron in 1880 under the tariff laws, and \$430,000,000 in the ten years—95 per cent. of all this being paid to foreign labor.

2. *Labor.* I am now going to give you some stubborn facts which I have experienced the last year. In company with some friends I have just completed the construction of a modern blast-furnace at a cost of over \$250,000. Everything that could be done in the compression and reduction of labor was done, and probably there is not a blast-furnace in the world to-day that can produce pig iron with fewer hours and labor per ton. But what is this furnace composed of? Iron, stone and brick. Take the iron, and what shape was it in when I began the enterprise? Ore in the mine. Where lay the stone? A coarse rock in the quarry. What were the bricks? Clay. You know, gentlemen, the value of clay when you begin to make brick out of it. This ore, rock and clay, before labor was put into it, was not over 5 per cent. of the furnace's cost. The balance that made up the cost was labor. In England, France and Germany the cost of this labor is 60 per cent. less than in this country. Hence the furnace built in those countries would cost 60 per cent. less, making the cost of a furnace there \$150,000, while mine cost \$250,000. I shall not go further into the details of the labor question here, but this is the greatest difficulty of all, and this it is that demands protection.

3. *Interest.* In the sections of the United States that have yet to be developed in their iron interest—as Virginia, Alabama, North Carolina, Tennessee—and in the partially developed States of Pennsylvania and Ohio, the cost of capital would average 8 per cent., or \$20,000 a year on the \$250,000, while in England, France and Germany it would be only $3\frac{1}{2}$ per cent., or \$5,250 on the \$150,000—a difference in favor of the foreign iron manufacturer of \$14,750 every year against the American enterprise, so long as it existed. This is difficulty number three, explaining why we imported \$80,000,000 worth of pig iron in 1880 under our tariff laws, and \$430,000,000 worth in the ten years named. The same difficulties would exist in the case of the woolen mill and all other factories as to cost and labor, high interest and high taxation.

I have thus briefly alluded to three difficulties. These are by no means all we have to contend with. There was another great difficulty that lay in the way of our iron industry's development. It consisted of the great workshops, and the vast, long-established iron industry of another people, the English. And yet beyond this, to trouble and frighten away capital, was the constant hue and cry kept up—chiefly by a class having no interest in American development, nor in anything but selling the goods of foreign nations over the counter—in regard to tariff legislation. This kept capital in an unsettled condition signally disastrous to investment. Yet in spite of all this, American enterprise could not be crushed, and to show you what we succeeded in accomplishing under so unfavorable conditions of competition, I call your attention now to a few figures of iron production.

In 1870 we took from the mines—	<i>Tons.</i>
Of ore	3,665,215
To smelt this into pig iron required—	
Of limestone	1,500,000
Of coal	4,500,000
Of coke	1,000,000
Thus making a transportation of more than.....	10,655,215

In the next ten years to 1880 these figures had doubled.

Thus in 1880 we took from the mines—	<i>Tons.</i>
Of ore	7,709,708
To smelt this into pig iron required—	
Of limestone	3,256,864
Of coal	3,666,935
Of coke	2,128,255

An increase of 52 per cent., making of transportation a total of above 16,000,000 tons furnished merely to change the ore into pig. Have the men engaged in transportation no interest in this?

Shall we leave these 16,000,000 tons of ore, coal and limestone buried in our own soil, and encourage their development in a foreign land, simply because labor is cheaper, and consequently productions of all kinds cheaper? Will any one say what the effect would be to this nation of drawing each year from our financial resources and sending it abroad to purchase our annual iron supply? Would not this increase the cost of iron in the country we purchase it from?

Shall this transportation, shown to be so immense, be done in this country or in a foreign one? And what would be the loss to our inland carrying trade if this vast freightage from the mine to the furnace were shut off?

Besides, this is only the first freightage; made into pig and into various forms and shapes, it is then distributed into all parts of the land, to be worked up into all forms for use. So it furnishes transportation again and again until it reaches the merchant's counter. Remember this transportation is labor as well as the rest.

These 7,256,864 tons of material, which were worth but 30 cents a ton in the mine, were increased in value to \$100,557,685 when it had merely been made into iron and steel billets and muck bars.

The value it would attain when worked up into all the conceivable forms for use, from the plow to the knife-blade, from the axe to the surgeon's lancet, and from the ship-plate to the watch-spring, cannot be estimated. But what has been applied to create this value? Labor; nothing but labor.

Now, will the free-trader compute for us the value of this in dollars when worked into all the shapes we use it in, the number of men in all the mechanical trades who draw their support in this country from working up this pig into its various forms and values? Then let him consider the families dependent upon these mechanics and laborers, and tell us what is to become of them if iron and its products are purchased abroad? The principle is the same with many of the other industries. Nothing but labor has increased the value of the iron, from the ore up, and this labor is cheaper in foreign countries; so that if ore can be converted into iron at less cost, so can all other things that are to be made of that iron. So it all comes back to the bottom question: Will you degrade American labor or will you protect it?

The application of labor to our natural resources is the source of our wealth and prosperity. By the development of these resources and the providing of our people at home with the manufactured goods they need, how many thousands of towns and cities have been built up from the swamp where the scrub-oak grew to what they are to-day? To the extent we apply this labor we get rich; when we cease to apply it we get poor. Our real wealth lies in the savings, or profits, of this labor.

To dispose of the charge that the protective tariff raises and keeps up prices, and to show that in fact the competition made possible by the tariff reduces the cost, I will give some figures relating to ship iron and steel rails.

COST OF IRON, 1850 TO 1881.

Figures taken from New York prices show that the average price per pound of ship or tank iron from 1850 to 1860, years when we had a low tariff, was:

For ship or tank plate, 4 cents; for flange iron, 5 cents; for angle iron, $3\frac{3}{4}$ cents; for rivets, 5 cents; average of the four classes of iron, $4\frac{1}{2}$ cents.

From 1870 to 1880, years of a high tariff, the iron products of this country increased about 100 per cent. In those years it would be supposed that the increased demand would create an increased price; yet, though wages were higher by 20 per cent. between 1870 and 1880 than between 1850 and 1860, the price of iron was reduced under our high tariff by 25 per cent. This is a positive proof that to have cheap iron we must depend not upon a foreign market, but upon the competition, energy and enterprise of our own people.

As proof of what I have just said, allow me again to refer to figures taken from official records, which show that from 1870 to 1881 average prices were as follows: Ship or tank plates, $2\frac{1}{2}$ cents; flange iron, 4 cents; angle iron, $2\frac{1}{2}$ cents; rivets, $4\frac{1}{2}$ cents; average of the four classes of iron, $3\frac{3}{8}$ cents, or 25 per cent. less than in 1850 and 1860.

THE GREAT STEEL-RAIL MONOPOLY.

The following shows the price, in sterling and in dollars, free on board, in British ports of steel rails, from 1863 to 1875, per ton of 2,240 pounds, compiled by Mr. H. V. Poor, of New York:

<i>Years.</i>	<i>£</i>	<i>s.</i>	<i>Equals.</i>
1863.....	18	9	\$89.79
1864.....	17	12	85.65
1865.....	16	7	79.56
1866.....	14	10	70.56
1867.....	13	10	65.70
1868.....	12	12	61.32
1869.....	11	6	54.99
1870.....	10	7	50.37
1871.....	11	6	54.99
1872.....	13	18	67.54
1873.....	16	9	80.05
1874.....	13	2	68.75
1875.....	9	2	44.28

Add to the above the premium on gold.

Net tons of Bessemer steel rails produced in the United States from 1867 to 1880, inclusive: 1867, 2,550; 1868, 7,225; 1869, 9,650; 1870, 34,000; 1871, 38,250; 1872, 94,070; 1873, 129,015; 1874, 144,944; 1875, 290,863; 1876, 412,461; 1877, 432,169; 1878, 550,398; 1879, 683,964; 1880, 954,460.

At a valuation of \$65 per ton, this would amount to \$245,961,235. Ninety per cent. of this enormous sum was paid to American labor.

And here comes in the significant fact that before steel rails were made in America those purchased in England for American use were costing \$80 per ton, gold, or 30 per cent. more than they are sold for now in America. Who, then, had the monopoly? No one then heard about this great monopoly. When we were sending the gold out of the country, giving employment to foreign labor and allowing our own labor to go idle, was this policy in the interest of this country or of England? We never hear of monopoly in this country until we begin to supply our own wants and cease buying in England. That is what a policy of protection has done for us in regard to steel rails.

THE LOCOMOTIVE.

Now I want to call your attention briefly to what we have done in building the locomotive. That will show the development of another American industry. Fifty years ago we imported a locomotive engine from England as a sample. I made an examination some time since as to the number of locomotives now in the United States, the cost of their construction, and how it compares with the cost of construction in other countries. The number of locomotives in use in this country January 1, 1879, was estimated at 16,445, valued at \$164,450,000. The number of cars in use, not including palace cars, was estimated low at 498,000, which would cost at least \$600,000,000,

making the value of locomotives and cars together \$764,450,000. Besides as much as one-tenth of the total now running must have been rebuilt, say, five times since 1830, at a cost of \$382,225,000, making a total of \$1,146,675,000, which is more than England has invested in ships. But, besides this, we have built locomotives for export to all parts of the world, owing to the recognized superiority of the American locomotive.

The Baldwin Locomotive Works alone sent out of the country from 1870 to 1880 over 520 locomotives, 152 of them to English colonies; and of all the locomotives used in the English colonies, from 95 to 98 per cent. were built in the United States.

Estimating what other shops have done, we have exported since 1870 \$20,000,000 worth of locomotives and double that amount of cars.

We have, then, succeeded in building locomotives of such quality and at such prices that we have taken England's locomotive business away from her in her own colonies. Is there any reason why, when our ship-building shall be equally encouraged and developed by extending our trade and making a demand for it, we should not build ships for those countries which have not the resources to build them for themselves?

But then we are told that, while we can build the locomotive and the car, we cannot build the ship, though that is built out of the same materials and from the same forest and mine, and though the labor required to convert one hundred tons of pig iron into locomotives is much greater than it is in the finished ship, and just as high-priced. But we had a policy for building the locomotive, by finding a use for it, and you see the result.

THE SHIPPING QUESTION.

III. As for ship-building and ship-owning, though they properly come under consideration in connection with the tariff, I will not ask your time now for them, but will submit in separate form, should the Commission desire, what I wish to say on those vitally important subjects, interwoven as they are with nearly all branches of industry.

To show you how intimate and extensive is this connection, I call your notice to the following list of articles required to carry out the contracts I had on hand between January 1, 1880, and January 1, 1882. The list may be a revelation to some of you in regard to what is required in the outfit of a steamship, which is in reality a floating

hotel. It will also show what a blow is aimed at our varied industries by the "free-ship" bill so regularly introduced into Congress. Free ships, gentlemen, would do absolutely nothing to revive American ship-owning, but they would be a serious blow to the protective principle. Following is the list:

Pig iron, 3,450 tons.....	\$86,250.00	
Manufactured iron, plates, angles, bars, rivets, forgings, etc., 47,824,000 lbs.	1,673,840.00	
Copper, 805,000 pounds.....	193,200.00	
Lead, 127,500 pounds.....	8,925.00	
Lumber, 6,750,000 feet.....	305,000.00	
Coal, 18,000 tons.....	90,000.00	
		\$2,357,215.00
Anchors.....	9,780.96	
Chains.....	22,968.42	
Boats.....	16,650.00	
Life rafts.....	6,660.00	
Steam windlasses.....	30,200.00	
Capstans, steam and hand.....	8,200.00	
Life preservers.....	8,670.00	
Hose.....	4,265.00	
Fire buckets.....	1,977.09	
Axes.....	300.00	
Deck lines.....	14,736.80	
Lamps and lanterns.....	16,800.00	
Nautical instruments.....	6,425.00	
Flags.....	4,200.00	
Rigging wire, manilla and blocks.....	23,900.00	
Sails and awnings.....	21,600.00	
Canvas for decks.....	12,850.00	
Plumbing and brassing.....	43,500.00	
Steam pumps.....	27,800.00	
Steam gauges.....	3,300.00	
Upholstery, bedding, linen, etc.....	91,952.64	
Carpets.....	31,516.60	
Silverware.....	24,707.40	
Stoves and kitchen and cooking utensils.....	17,809.60	
Crockery and glassware.....	11,606.41	
Gas and steam pipe and fittings.....	28,000.00	
Hoisting engines.....	35,600.00	
Spars for masts.....	12,500.00	
Paints and oils.....	65,000.00	
Joiners' hardware, locks, screws, etc.....	16,700.00	
Covering for boilers, pipes, etc.....	18,000.00	
Engineers' tools and instruments.....	9,000.00	
Drawing paper, tracing cloth, etc.....	3,500.00	
Cabin and state-room furniture, chairs, tables, brushes, pails, baskets, cuspa- dores, etc.....	15,675.00	
Glass for side-lights and windows.....	5,860.00	
Porcelain and glass name-plates.....	2,500.00	
		674,350.83
Total amount.....		\$3,031,565.83

THE RAW MATERIAL FALLACY.

IV. But before I close I must say a few words about the matter of raw material. Many a man, looking only at his own little interest, demands raw material free, wholly regardless of the equal right to protection of the labor and capital engaged in producing that raw material. The narrow-minded and one-sided policy of the men who cry out for raw material duty free was well illustrated in the last Congress by a few ship-builders who urged the Committee of Ways and Means to report a bill to allow them to import the iron for ships duty free. The average cost of the iron used in the construction of an

iron ship (as the forged keel, the stern stem, port rudder, angles and plates) would be $3\frac{1}{2}$ cents per pound in America. This was worth in the coal and ore in the mine not over 5 per cent. of the $3\frac{1}{2}$ cents. The cost of the iron hull to the ship-builder would be 6 cents per pound, or $2\frac{1}{2}$ cents a pound for his labor to complete the ship. Thus the labor from the miner to the man who made the plates, rivets and bars was more by 1 cent a pound than the labor expended by the ship-builder, and the ship was more than half built, in the way of preparation of the material, before the ship-builder touched her. "Yet give me free trade," cries the ship-builder, "on all this material brought up to the point where it suits my use, and let all the other branches of industry, that have capital and labor engaged in building more of the ship than I do, fight out the battle of free trade with men who have cheaper capital and labor." And then, in addition to all this, the ship-builder demands protection for himself on the finished ship. Is this just?

It is not even sensible. For the ship-builder should see that he cannot pay the freight, the commission and insurance on this material to bring it 3,800 miles, besides paying the advance of 40 per cent. for his labor on the part of the work he performs, and compete with the man who builds the ship in England, having his shipyard alongside the mines.

Then, if by such a policy he closes up our iron works, as he certainly must, what guarantee has he that the English manufacturer will not put up the price on him? It is certain that such would be the result, for the figures show that the amount of iron produced by this country and required in this market has regulated its price in England as closely as the thermometer mercury follows the changes in the temperature. And it is proof enough of the fact that the raw material that enters into the iron ship is cheaper in this country to-day than it was in England two years ago. We should not lose sight of the important fact that England and America are the two great iron-producing countries, and that if we stop producing we become dependent upon England, and throw a monopoly into her hands that may and will be turned against ourselves. We are the greatest consumers of iron, and as a nation in that condition, with unlimited resources for its home production, we should be indeed lunatics to become dependent upon any other nation for this or any other essential product. We must protect one and all justly and equitably, reducing the tariff where it is too high, maintaining it

where required, favoring no special industry or class, and so fitting protection to the needs of all our industries and manufactures that it shall equally protect all.

Gentlemen of the Commission, there is another point that I wish to call your attention to; that is, the theory that a tariff for revenue only would be ample protection for American capital and labor.

The value of manufactured goods made in this country last year was	\$8,000,000,000
The amount imported was.....	600,000,000
Total	\$8,600,000,000
We exported (about).....	50,000,000
Total of home consumption.....	\$8,550,000,000

The best English and American authorities think that with the high rates of interest on capital and our high-priced labor only a few of our industries could be kept in operation. For the sake of argument I will say that these few industries thus kept in existence would manufacture one-sixth of our total consumption, which would be \$1,425,000,000, leaving to be purchased abroad \$7,125,000,000.

Now the advocate of a "tariff for revenue only" claims that only \$350,000,000 are needed for the expenses of this government, including interest on the national debt. This would give our manufacturers a protection of less than 4 per cent., while the labor on manufactured goods is 70 per cent. of the cost. The interest on his plant is 3½ per cent. more than in Europe. With such a revenue law (one for revenue only), how long would American factories remain in operation unless the rate of labor and interest on capital is reduced to the European standard.

Under free trade these 5,000,000 tons would be made in England; the 24,000,000 tons of minerals would have to be dug from her mines by her laborers, transported by her transportation companies; and the 5,000,000 tons of iron, the product of the 24,000,000 tons of minerals, would be sent to us in English ships, and the products of our soil that would go to pay for this would be also sent in her (England's) ships. Then it should be remembered that our manufactures dependent upon pig iron, from the railroad bar to the watch-spring, would of necessity cease. The great home market would be transferred to Europe and our industrial independence end, for it is impossible for a nation to be independent which does not supply itself with iron and its products.

In the years from 1870 to 1880, inclusive, there were imported into the United States, as per official figures, iron, steel, and tin plates,

\$430,223,763, or an average of, say, \$43,000,000 a year. This amount of iron and steel was needed for consumption here; and you will remember that from the mine to the form in which it is received here 90 per cent. of its value is labor. We have, then, been giving during that period to the development of foreign countries and the payment of foreign labor the enormous amount of over \$386,000,000.

What is saved from the cost of producing after man is sustained is what builds up towns and cities. How many churches, school-houses and private dwellings more than we now have should we own if all this \$430,000,000 worth of iron were made at home? Was there anything to prevent those men who are continually crying "Monopoly" from becoming iron-makers?

But there is no end to the many devices resorted to to break up and destroy the effects of the wonderful strides we have made in developing the resources of our country and supplying our own wants.

The schemes of these tariff-for-revenue men are not fully understood. Many of our best citizens are deceived by the plausible way in which they are put.

FREE ORE AND FREE SCRAP IRON AS RAW MATERIAL.

I am now importing 25,000 tons of ore from Spain, costing me \$150,000 at my wharf. Before the application of labor in mining and transportation is applied, it is only worth 25 cents per ton in Spain; it certainly, then, is not raw material. At my wharf it is advanced by foreign labor and foreign freights to \$12 for the ore to make a ton of iron; the ton of iron I sell for \$22, leaving \$10 to pay for limestone, coal and labor. Now give us free coal, and it takes 1 ½ tons to make the ton of iron; this 1 ½ tons of coal is worth \$6; add this to 12 tons of ore makes \$18.50 for coal and ore, leaving \$3.50 for labor and limestone. Persons discussing this subject had better learn the fact that, with the coal, ore and limestone at the furnace mouth, the labor is only \$2 per ton for converting into pig. Now give us free raw material—coal, ore and limestone: you leave us \$2 per ton for labor on pig iron, while you give to the foreign producers \$10 in labor. Now I say if you go this far, let us have free pig iron; this will then put an end to iron-making in the United States.

SOME SALIENT POINTS.

In conclusion, permit me to briefly recapitulate some salient points in this discussion, referring to propositions recently made to you in

the anti-protection interest. I allude, in the first place, to Mr. Hewitt's request that iron ores and scrap iron be placed on the free list.

Every two tons of ore imported into this country worth \$12 when landed, or more in value than half the price of a ton of pig iron, sends \$11 worth of labor out of the country, while ore of equal quality for Bessemer, or other purposes, is to be found in Virginia, North Carolina, Alabama, Tennessee, Missouri, parts of Pennsylvania and New York, yet undeveloped and sufficient to supply our wants for a thousand years. All that is wanted is the opening of railroad communication. The future cheapness of iron in this country depends on the development of the iron interest in those States. The West was aided by the nation to open railroads to develop its grain and raise its market value from 10 cents a bushel for corn to 60 cents. The ore and coal mines of those States are now in a similar condition. If the nation does not want to aid them she should not bring them into competition with foreign countries who have cheap transportation by water. Every farmer, lumberman, business-man, though he may not own one ton of ore, is interested in building up roads to the mines, for it opens the road to the market for all products.

American pig iron is selling to-day at the furnace for \$22 per ton. A ton of cast-iron scrap is worth \$20. Of the value of the ton of pig iron at the furnace \$19 represents the cost of labor in mining, transporting and smelting. The ton of scrap is worth only \$2 less than the ton of pig, but by using it the country loses the benefit not only of all the cost of the ore, but of all the labor employed in producing American pig iron. How inconsistent as well as unpatriotic it is, in view of these facts, for a man to ask protection on pig iron and advocate the admission of scrap iron duty free.

We have seen that the increased wealth of our country has come from the growth of our manufactures. Of the cost of manufactured goods 80 per cent. is for labor. Every dollar invested in importing foreign-made goods to compete with home-made deprives American labor of 80 cents. Gentlemen have come before you crying out that American manufactures are a monopoly by force of the operation of the tariff, and that our manufacturers make inordinate profits at the expense of the people. If so, why do not these gentlemen put their capital into manufactures and invest at home the hundreds of millions they now expend in purchases abroad? How can there be any monopoly in manufacturing more than in corn-growing or cotton-growing when last year we imported \$600,000,000 worth of goods for our own

wants? Why, I repeat, do not those men who cry out about manufacturing monopoly break it down by themselves going into manufacturing, and take to themselves a share of the great profits they claim that we are making, and make more money by paying to American labor the sums they now pay to foreign labor? The truth is that they have no real faith in their own statements about American manufactures, and, as a class, have no interest in common with those of American labor.

JOHN ROACH.

RAILWAYS IN MEXICO.

I HAVE read with great interest an article, by Hon. John Bigelow, published in "Harper's Monthly Magazine" for October, entitled "The Railway Invasion of Mexico." I am very much pleased that such gentlemen as Mr. Bigelow, who is prominent in this country both for the positions of public trust that he has held and for his scholarship and talent, should begin to inquire into and study the condition of Mexico, and give their views on this subject to the American people, as I believe great good will result therefrom.

Heretofore the representations published in the United States about Mexico have too often been made by persons who had not the experience and ability of Mr. Bigelow, and, as a general thing, they have done great injustice to that country. Whatever errors Mr. Bigelow may have committed in his review of railway building in Mexico, I am perfectly satisfied that he has written in good faith, and that his mistakes have occurred because he did not obtain all the proper information, or because he was not in the country long enough to fully comprehend its present condition and future prospects. It is certainly very creditable to him that, after having made so short a stay (only two or three weeks I understand) in the City of Mexico he should have been able to understand and appreciate so well the political conditions of that country. It speaks very highly for his judgment and for the study that he has made of the state of affairs in Mexico. I have found the article full of interest, and I regard it as on the whole very fair and just toward Mexico. But unfortunately he has made, in my opinion, some mistakes which, if not corrected, will have an injurious influence on my country, and I desire to present a

statement of facts which I trust will be sufficient to show the errors contained in that article.

CRITICISMS ON MEXICO.

Mexico has often been very severely criticised by American writers, generally because they have not taken the necessary pains to become sufficiently informed upon the real condition of things there, and have not been able to follow the course of events. They saw in Mexico revolutions for many years, and they formed erroneous conclusions which led to their unjust and severe criticisms.

Only a few years ago, in 1878, distinguished Americans found fault with Mexico because they supposed the Mexican Government did not intend to make liberal grants to American citizens for the building of railroads, and because they thought there was not sufficient security for life and property and stability in that country. These charges are now entirely removed, and Hon. John W. Foster, who was for several years United States Minister to Mexico, and who is one of the American citizens best understanding Mexican affairs, on account of his long residence in the country in an official and honorable capacity, who was at one time one of the Americans to make the more severe criticisms upon Mexico, has come out manfully in a letter addressed to a New York newspaper, the *Evening Post*, acknowledging that such criticisms have no longer any foundation or ground to stand upon, and that Mexico has now a stable government, and is in a prosperous condition.¹

¹ The *Evening Post* of New York, in its issue of September 20, 1882, published a letter from Hon. John W. Foster, late U. S. Minister to Mexico, dated in Washington on the 16th of the same month, in answer to another letter making criticisms upon Mexico, of which the following is an extract:

"Americans have in times past been free critics of Mexican affairs, and during my seven years' residence in that country I was not an exception to this practice. Our complaints have generally been directed (1st) against the instability of government; (2d) the insecurity of life and property; (3d) the bad condition of national finances and public credit; (4th) fear or suspicion of American aggression; and (5th) reluctance to more intimate commercial relations between the two countries, especially by means of international railroads. If Presidents Diaz and Gonzalez have, during their official terms, been able in any measure to overcome these evils and objections, frankness and justice require that we should give them full credit for their acts. It is an historical fact that, from the foundation of the Republic, General Diaz was the first President who has been able to rule the country in comparative peace, and to transfer the Government to his successor under the constitutional forms, without a revolution. It is conceded by all who are conversant with Mexican affairs that in the past six years, which cover the administrations of Diaz and Gonzalez, life and property have been more secure throughout the Republic than ever before. These two facts alone should entitle them to the lasting gratitude of their countrymen and to the honorable regard of the friends of republicanism everywhere."

In former years the complaint brought against Mexico was that its Government was not disposed to make railroad grants to Americans. Mr. Bigelow now criticises the country because it is granting too many charters for railroads most of them being given to American citizens.

MR. BIGELOW'S CRITICISMS.

I do not think it necessary to notice in detail the errors or misunderstandings of secondary importance in his article, which are but few, and fortunately will not affect in any way the future prosperity of Mexico, and I will confine myself chiefly to a review of the point which he makes, that the money invested in railroads in Mexico will not pay a reasonable interest, and that therefore it is not safe to make such investments.

It will be seen at once that if he is correct in his view of the case, no other railroad enterprise will be undertaken in that country, and even those under construction at present might be obliged to come to a standstill, because certainly no enterprise would find money to be invested in it when investors are certain that it will not pay a reasonable interest. This point, therefore, is of essential importance to Mexico, as well as the United States, because it is plain, in my opinion, that both countries would be greatly benefited by being connected by railroads, and that it is to the mutual interest of both, not only that the lines now in construction should come to a speedy completion, but that many new lines that are projected should also be built.

I take it for granted that this question of investment has been thoroughly investigated by the most competent men in the United States, men who have had large experience in railroad construction and operation, and that they have thoroughly satisfied themselves that it would be a lucrative enterprise to build railroads in Mexico, because otherwise they would not have undertaken to expend their money there. This, in my opinion, is a conclusive argument to prove that the building of roads in that country will be a paying business. Yet many of the investors, upon whose subscriptions the experienced railroad builders rely to carry on their works, may be affected by the opinion of a gentleman of the high standing of Mr. Bigelow, and for this reason I consider it almost a duty to myself, representing here the interests of Mexico, to show, as far as I can, that his conclusions are not correct.

THE VERA CRUZ RAILROAD.

It seems that the main reason upon which Mr. Bigelow bases his conclusion is what has happened with the Vera Cruz Railroad. He appears to take it for granted that the Vera Cruz Railroad cannot pay more than 5 per cent. on the money invested in its construction; and as he supposes that that is the best line in the country on account of the large subsidies it has received from the Mexican Government, and because it has had no competition so far, he naturally concludes that other roads would gain less interest upon the money invested. While all the data that he has had at his command, and some of which he mentions in his article, are entirely correct, thus showing that he has come to his conclusions in good faith, and without any desire to prejudice public opinion on this subject, he at the same time has not been fully informed as to the history of the Vera Cruz Railroad; and while that road is really his foundation for supposing that railroad building in Mexico will not pay, I am thoroughly satisfied that the history of that road is the best proof that can be presented that railroad building is and will be a very profitable undertaking in Mexico.

The Vera Cruz Railroad has 263 miles from the City of Mexico to the City of Vera Cruz, a branch from Apizaco to the City of Puebla of thirty miles more, and an unimportant tramway branch to Jalapa, operated by animal traction.

WHY THE VERA CRUZ ROAD HAS COST SO MUCH.

On account of many very serious mistakes which were made in its construction, it has cost four times as much as it could be built for now. The total amount of indebtedness of the road in round numbers is \$40,000,000, and it is evident that it could be built now with \$10,000,000. This cost was increased so largely for several reasons. In the first place, the money was obtained at a great sacrifice, and it was not furnished when it was wanted. In the next place, the building of the road extended over thirty-six years, with many intermissions, during which the work stopped, and the concession was repeatedly transferred from one grantee or company to another, which, of course, made the construction more expensive. The history of this enterprise, from its commencement to its conclusion, shows both how wretched has been its management, and how lenient and liberal has been the action of the Mexican Government through all these delays and faults.¹

¹ *History of Vera Cruz Railway.*—This road had ten grants or concessions from the Mexican Government before it was completed. The first concession was issued August 31,

In the third place, a very great mistake was made in beginning at the City of Mexico, and having to transport all the materials, rails, locomotives, cars, etc., on carts drawn by mules from Vera Cruz to the City of Mexico, or at least from Soledad to the City of Mexico, a distance over the mountains of more than two hundred miles. Then the location was not the one best calculated for a business enterprise. The grantee of the road, Señor Escandon, owned several tracts of land in the Cordova and Orizaba districts, in the State of Vera Cruz, and he decided that the road should pass by his land at any cost. The result was that the road has a grade in a large portion of it of more than two hundred and ten feet to the mile, and passes over a very broken and mountainous country, where it was very expensive to build, and is terribly expensive to operate.

It would require too much space to set forth all the other reasons which have made this road so expensive, but it is enough to say that it could have been built and that it could be built now for \$10,000,000. And it is readily seen that if with its present capital it could pay 5 per cent., with this capital reduced to one-fourth the interest on the money invested would be 20 per cent.

1837, under which a survey was made and some preliminary work done. A new concession was given May 31, 1842, to a company, and large appropriations were made by the Government to aid in its construction, but only 11½ miles were built up to November, 1850, when the company abandoned the grant. From November, 1850, to August 31, 1857, it was in the hands of the Government, and 12½ miles were built. On the 31st of May, 1857, a concession was granted to Antonio Escandon, but up to April 5, 1861, no advance had been made in construction, at which date a new grant from the Government was obtained, materially modifying the provisions of the former grant. When the intervention occurred, the French authorities entered into a new arrangement with Escandon, and his contract was recognized by Maximilian, with certain changes favorable to the grantee. During the French and Maximilian régime he constructed 133 miles of road. On the downfall of Maximilian, Escandon applied to the Republican Government to revalidate his concession, and, notwithstanding he had been a strong supporter of the French and of the enemies of the Republic, the Government, on the 27th of November, 1867, made a new contract with him under even more liberal terms than his former grant, and this contract was again modified on the 11th of November, 1868, and the road was finally finished in January, 1873, under the Escandon grant, sixteen years after his first contract was made, and thirty-six years from the date of the first concession. It appears, from a contract entered into between Escandon and Messrs. Smith, Knight & Co., of London, for the construction of the road, that he was to receive as a bonus \$2,000,000. How much more he received from other contractors or assignees is not known. The amount of freight paid for materials to construct the road from the end begun at the City of Mexico amounted to \$3,310,847. The capital of the road was fixed by the present company at \$26,195,600; but early in 1873, in order to protect the road from its outstanding obligations, the capital was increased to \$35,370,647; in 1874 another increase was made to \$37,782,526; and it now appears from the last report of the directors that authority has been received to increase it to \$40,000,000.

THE VERA CRUZ ROAD PAYS WELL.

Besides, it is not entirely correct that this road only pays 5 per cent. interest. One portion of the capital is in the shape of first mortgage bonds, which draw 8 per cent. interest, and which amount to about \$12,500,000. Another portion is in the shape of second mortgage bonds and perpetual obligations, which draw 6 per cent. interest, and which amount to about \$15,000,000, on a considerable part of which the company for a number of years paid 12 per cent. interest, and the balance is in the shape of common stock, which draws no interest, and it is upon this common stock that the directors of the Vera Cruz road report, as Mr. Bigelow published in his article, that only 5 per cent. was received the last year.

It is to be noted also that since Mr. Bigelow's article was prepared another annual report of the directors has been issued, from which it appears that the holders of the common stock have received a dividend equal to $6\frac{1}{2}$ per cent. per annum, so that his conclusions, based upon the experience of the Vera Cruz road, will have to be revised to that extent. ¹

But there is another method of ascertaining the paying qualities of a railroad, not noticed by Mr. Bigelow, and which, I believe, is regarded in railroad circles as a more correct test than the dividends received by the holders of common stock, especially on roads so heavily mortgaged as this, and where the stock represents less than one-third of the capital; that is, the gross and net earnings of roads. Adopting this test, let us make a comparison between the earnings of the Vera Cruz Railroad and roads similarly situated in the United States. Probably the two lines combining, more nearly than any others, similar conditions are the Union Pacific and the Central Pacific, having heavy mountain grades, long stretches of high table lands and seacoast connections.

An examination of the official reports shows that in 1880 the gross earnings per mile of these three roads were respectively as follows:

¹ As it has not been possible to obtain a copy of the original report of the Board of Directors of the Mexican Limited Railway Company of the 30th of May, 1882, above referred to, it has been necessary to translate it from Spanish, which translation may differ somewhat from the original.

Paragraph 10 of the above report is as follows:

"10. The directors have the pleasure to lay before the bondholders a resumé of the accounts, wherein they will see that interest can be paid on the capital in bonds and whole dividends on the first and second preferred shares. At the same time they beg to propose that a dividend of $6\frac{1}{2}$ per cent. per annum be decreed on the ordinary stock."

Union Pacific, \$11,304; Central Pacific, \$7,818, and the Vera Cruz, \$12,662; and the net earnings per mile were as follows: Union Pacific, \$6,168; Central Pacific, \$3,913, and the Vera Cruz, \$7,330. The reports for 1881 show the gross earnings per mile to be as follows: Union Pacific, \$12,516; Central Pacific, \$8,758, and the Vera Cruz, \$16,489; and the net earnings for the same year: Union Pacific, \$6,207; Central Pacific, \$3,593, and the Vera Cruz, \$10,098. It will thus be seen that for the last year the Vera Cruz road made a net earning of 6 per cent. upon a capital of \$168,000 per mile. A very liberal estimate would not place the cost of construction to-day at more than \$50,000 per mile, upon which the present net earnings would be a return of about 20 per cent. If we accept the Vera Cruz road as an evidence of what may be expected in the working of the railroads now being constructed by American companies, the foregoing exhibit is certainly not calculated to discourage American investors in those enterprises.¹

The increase in the price of this stock shows, too, what is its real value in London. Only three or four years ago the stock had almost no price on the Stock Exchange in London, and the Mexican Government, which held about four millions of this stock, thought that it could never realize 5 per cent. out of it, and very likely would have been glad to sell it to anybody at a very low figure. On account of the prosperity of the country, which has commenced with the building of railroads, and which has increased materially the business of the Vera Cruz Railroad, the earnings of that road have been so large that it has been able to pay the interest on the first and second mortgage

¹ The following table will show how the above figures have been compiled. The reports of the Union Pacific and the Central Pacific are for the fiscal years ending June 30, and for the Vera Cruz road to the end of the calendar year. The net earnings for the year 1881 on the Vera Cruz road are in part estimated, and in making the calculations the Jalapa tramway branch was not included, its business being too unimportant to affect the result:

1880.	<i>Union Pacific.</i>	<i>Central Pacific.</i>	<i>Vera Cruz.</i>
Number of miles operated.....	1,815	2,390	293
Gross earnings.....	\$20,517,806	\$18,686,729	\$3,709,910
Net earnings.....	11,195,875	9,353,428	2,147,589
Gross earnings per mile.....	11,304	8,818	12,662
Net earnings per mile.....	6,168	3,913	7,330
1881.			
Number of miles operated.....	1,819	2,614	293
Gross earnings.....	\$22,765,752	\$22,893,344	\$4,831,215
Net earnings.....	11,290,842	9,390,840	2,958,729
Gross earnings per mile.....	12,516	8,758	16,489
Net earnings per mile.....	6,207	3,593	10,098

bonds and to pay dividends upon the common stock. These dividends have raised the price of the common stock as well as the mortgage bonds above par, and the consequence of all this is, therefore, that the common stock of the Vera Cruz Railroad, which only four years ago was really worth nothing, has reached a very high price, and the latest intelligence shows that the securities of this company are among the most highly valued in the London market.¹ This fact, in my opinion, proves more conclusively than anything else what are the profits of the Vera Cruz Railroad, and what are to be the prospective earnings of other railroads building in Mexico.

I am satisfied that the Vera Cruz Railroad could have had larger earnings before the construction of the other roads began in the country if it had encouraged trade in some way; but its tariffs have been almost prohibitory, the rates being over 28, 24 and 20 cents per mile on first, second and third class merchandise freight per ton, which is almost equal to the freights before the road was built. With such tariffs it will not be regarded as surprising that trade really did not increase to any extent, and was almost in the same condition as before the line was put in operation. Notwithstanding this and the other facts that I have mentioned, and especially the heavy expense of operating the road on account of its very high grades, the price of its securities in London shows how profitable it is, and in my opinion this

¹ Extract from the financial column of the New York *World*, September 23, 1882:

"The ordinary or common shares of the Mexican (Vera Cruz) Railway have been in strong demand the past week at the London Stock Exchange, where they have reached the exceptional price of 143½ per cent., with large transactions and comparatively little floating stock. There is about \$11,260,150 of this stock, upon which dividends were paid in June last at the rate of 6½ per cent. per annum. In July last the quotations were about 106 per cent. Prior to the commencement of the Mexican revival, about four years ago, these shares were quoted as low as 1½ per cent. The details of capitalization, dividends and market values are best shown by the following summary:

MEXICAN RAILWAY, VERA CRUZ TO CITY OF MEXICO.

	<i>Last dividend per cent.</i>	<i>Issue per mile.</i>	<i>Market price.</i>	<i>Cash value.</i>
Ordinary stock.....	6½	\$38,430	143½	\$16,158,085.65
2d preferred stock.....	6	17,268	118	5,970,238.32
1st preferred stock.....	8	43,588	156	19,923,203.04
Mortgage stock.....	6	34,130	128	12,800,115.20
Totals.....	.....	\$133,416	.....	\$54,851,642.21

Represent cash value of \$187,206.97 per mile.

Average dividend per mile upon par value, .06 $\frac{8}{10}$ per cent.

Average dividend per mile upon present value, .04 $\frac{83}{100}$ per cent.

is the best and most conclusive proof that can be presented of the prospects of railroad building in Mexico.

AGRICULTURE IN MEXICO.

Mr. Bigelow seems to doubt very much that there will be any agricultural development in Mexico, on account of the peculiar climatic conditions of that country, and on this point, too, I believe he makes a serious mistake for want of sufficient knowledge of the conditions of the country. Mexico is a country which has almost all the climates in the world, from perpetual snow to the greatest heat; and it has a configuration which is not found anywhere else, and which causes great changes in climate, in rainfall, and in all other conditions affecting agriculture. It is therefore impossible for anybody who makes a flying visit to Mexico, and especially if he only stays in the City of Mexico, to form a complete estimate of the country and to make predictions about its future development. Even after a careful observer had visited the largest portion of the country, it would be very difficult indeed to make any such prediction or to venture any correct judgment. All that can be said with propriety is that Mexico has unbounded natural elements of wealth, both agricultural and mineral, which when developed will afford great traffic to railroads built there.

Very few Mexicans, if any, know as much of Mexico as I do. I have traversed the country often, and in several directions, sometimes on official business, and I have made several trips to remote regions for the only purpose of studying the country and its conditions, and yet I could not say that I know all Mexico well enough to make any broad and sweeping statement or prediction such as appears in Mr. Bigelow's article.

I do not consider Mr. Bigelow's statement correct about the rainfall in Mexico, but I will speak further on in this article on that subject, as I do not desire to interrupt with a new subject my review of the portion of his article I am now considering.

Although I have not visited the Pacific Coast of the United States, and especially the State of California, I am informed that it is essentially similar to Mexico, and in many respects inferior, having a portion on the coast, and high mountains, and valleys between these mountains. It is subject in rainfall to the same conditions as Mexico, at least as the northern portion of Mexico, which is not the richest in agricultural resources; and yet the State of California has been able

not only to support the railroads built over her territory, but to give large profits to the capital invested in them, and I understand they are regarded in this country as among the best-paying roads in the United States. The State of California is able, notwithstanding its climatic conditions, to raise a very large amount of wheat, which not only supplies the needs of her people, but enables her to export a very large amount to foreign markets, and it may be properly called, I believe, an agricultural State in this country. It is my opinion that the same would be the case with a great many of the unpopulated regions of Mexico, which have more or less the same conditions as California. The State of Sonora alone can produce in my opinion a larger amount of wheat when it is settled than California does now. The Mexican States have also a great deal of mineral wealth, and staple products, commanding high prices, such as sugar, coffee, tobacco, etc., can be raised. California, I believe, had only about 20,000 inhabitants when it was acquired by the United States, and most of them were Indians—perhaps a larger portion than the Indian element occupies in the population of the Mexican Republic, and yet California is now a State embracing nearly 1,000,000 of inhabitants, having one of the largest cities in the United States, and raising grain enough to build up a large commerce and make a very rich State. It is true that people have resorted to irrigation in California to raise wheat, but they will do the same thing in Mexico, notwithstanding that in a very large area in that country wheat can be raised without irrigation at all.

Land is worth in a great many portions of Mexico much less than it was in California when it began to be settled, and it will not be difficult for many years to come to buy large tracts of land at very low prices. Although the northern portion of Mexico is not so well irrigated as its southern portion, there is water enough, with some expense, to irrigate very large tracts of land, and it will be so valuable with irrigation that I have no doubt there will be found plenty of capital ready to be invested in the work of this improvement. But the necessity of irrigation for raising cereals only exists in the northern portion of Mexico and in some other limited localities in the country, and, as I said, in a very large area of the country cereals as well as other products of high value in the market can be raised without any irrigation, depending only upon the moisture of the atmosphere and the rainfall.

MINING IN MEXICO.

But even supposing that Mexico could not be an agricultural country, for want of proper irrigation, as Mr. Bigelow is inclined to believe, I am perfectly satisfied that even her mining resources of themselves would be enough to make profitable not only the lines of railroad now contemplated (some of which are in process of construction and others not yet commenced), but many more which the new conditions of the country will then require.

The mineral wealth of the Pacific portion of the United States is really but little compared with the mineral wealth of Mexico, which exists throughout almost the whole extent of its territory; and, notwithstanding the great obstacles which have prevented the large development of mining in Mexico, and which are entirely removed with improved machinery, Mexico has yielded, as it is known, about two-thirds of the whole silver existing in the world. In the present condition of things it is very difficult, almost impossible, to work successfully any mine there which has not peculiarly advantageous circumstances, because transportation is very expensive, and there has been want of capital sufficient to invest in these enterprises; and without improved machinery, which could not be conveniently carried to the mines, and want of capital to buy the machinery and work them, it was almost impossible to develop the mineral wealth of the country. With few exceptions only such mines as could be worked without improved machinery and whose ores are very rich have been worked up to the present; but as soon as the railroads approach the mining districts, and there is confidence enough to invest large capital in mining, there will be a very large development in Mexico, much larger, I believe, than any that has heretofore been seen in the world.

INHABITANTS IN HIGH MOUNTAINS.

Mr. Bigelow thinks that a population living in a high altitude, that is between five and seven thousand feet above the level of the sea, is not a people "that deserves to be regarded as an active civilizing force." Even supposing that to be so, it is necessary to take into account that not the whole of Mexico has that altitude, and that although a large portion of the inhabitants of the country are located between three and seven thousand feet above the level of the sea, there are very large sections which are below that altitude and at the sea level, and a great many of which are perfectly healthy, and others can be made healthy with population and with works which will cost only

a reasonable amount. The idea suggested by Mr. Bigelow is a new theory that I have never seen advanced by scientific men, and which naturalists like Humboldt do not present as a correct one. It applies to a very large portion of the Pacific States of this country, especially to Nevada, Colorado, California, etc., and I do not know that the inhabitants of any of those States can be regarded as of a lower order than the inhabitants of the States which only have low lands, or very low altitudes above the level of the sea.

AMERICAN MONEY INVESTED IN MEXICO.

Mr. Bigelow speaks of the investment of a very large amount of money of the United States in Mexican railways, and it is proper to take into consideration that not all the cost of railways in Mexico is sent in money from the United States. A great portion of it goes in the shape of locomotives, cars, rails, etc. The actual cash expense is really considerably below the total cost of the road.

Mr. Bigelow seems to forget that the railroads built in Mexico are really extensions and feeders of the great system of the American railways, going into a region fabulously rich, and besides that, one of the immediate advantages for the United States of her railroad connections with Mexico will be to stop the exportation of gold for a large part of the \$150,000,000 which she has now to pay for the sugar and coffee that she consumes from Cuba and Brazil, countries which do not import anything of account from the United States, and which take the value of their staples consumed in the United States in cash, and collect export duties upon loose articles. Within a reasonable time after Mexico is in railroad communication with the United States very likely all the sugar and coffee¹ required by this country will be raised in Mexico, and have to be transported by the roads now in process of construction, and the United States will not have to pay cash for these articles, but will pay in manufactured articles of this country, which would largely increase their manufactures and their wealth, thus retaining many millions of dollars in gold which have now to be exported to pay for the value of those articles.

¹ In a dispatch to the Department of State, Mr. Foster, late United States Minister to Mexico, in a report in 1876 on "Coffee Cultivation," says: "In Mexico, our neighboring Republic, there exists at our very doors the agricultural capacity to produce all the coffee that can be consumed in the United States, and of a quality equal to the best grown in any country. Mexico, it is true, is exporting very little coffee, and scarcely figures in the coffee-producing countries, but its capacity and adaptability for its production have been tested by more than fifty years of successful cultivation."

An item from the Mexican Treasury statement for the last fiscal year, recently published, will show what may be expected in the way of increased trade from the United States. During the past year two of the American companies holding concessions from the Mexican Government have commenced to construct their lines from Laredo on the Rio Grande, but up to the 30th of June last (the close of the fiscal year) they had advanced only a short distance toward the interior. The duties heretofore collected on goods introduced through the custom house at Laredo never exceeded \$180,000 per annum, but for the last fiscal year the duties amounted to \$1,200,000.

There are other considerations, in addition to those already mentioned, tending to refute the assumption in Mr. Bigelow's article, that Mexican railroads are not likely to pay a fair return upon the investments made for their construction, and which it may be appropriate to briefly state in this connection. Besides the great benefits to be derived from the mutual exchange of products of the two countries by means of international railroads, to be classed as through business, an intimate study of Mexico will prove that its local business will of itself make them a good investment. I think I have given a satisfactory reason why the local transportation of the Vera Cruz road has not developed more rapidly. The short experience of the railroads now being constructed from the city of Mexico to different parts of the interior is proving that liberal efforts to build up such trade are being readily responded to by the inhabitants. The Morelos road, which is now operating about eighty miles south from the capital into the valley of Cuernavaca, is receiving all the business it can attend to, and the same may be said of the Central road, which is being extended north toward the American frontier. Even in the first months of their operation those roads are yielding a profitable return. A few facts drawn from the natural conditions of the country will show that a large local transportation business may be confidently relied upon.

FUEL.

Mexico is a large country, embracing over ten millions of inhabitants, and they require, of course, easy and cheap means of transportation, and can naturally support with their own production and consumption several trunk and branch lines of road well devised and cheaply built. The population of Mexico is not spread over the country, as is the case in the United States, but it is settled in towns, more or less distant from each other. Although the country possesses

extensive forests, after four hundred years of constant consumption the forests in close proximity to the towns have been destroyed, and fuel begins now to be scarce and to command a comparatively high price. So great is the need of substituting coal for wood, on account of the great increase of consumption caused by railroads, factories and other reasons, that the Mexican Government, naturally alarmed at this condition of things, appointed, recently, a committee to investigate the matter, and report the proper measures to be adopted for the accomplishment of that end. I have personal knowledge of all this, because I was a member of that committee.

It is my earnest conviction that the transportation of coal and timber alone will afford enough business for several lines of road to make them a good investment. It is believed that extensive coal beds exist in various parts of Mexico, but if not sufficient for the wants of the country, it can be brought from adjacent regions in the United States, or through the seaports reached by the prospective roads. Mr. William Cross Buchanan, of London, an engineer of world-wide reputation, who years ago was employed as chief engineer in the construction of the Vera Cruz Railroad, has recently returned to Mexico and made a report to the directors of the Mexican National Railway Company, after an extensive visit to the interior of the country, on which in this point he fully sustains all I have said. He cites, for instance, the extensive forests of the State of Michoacan, penetrated by that road, as destined to furnish a large traffic "when it is considered that good pine lumber now sells for over \$60 per 1,000 feet, board measure, in the City of Mexico, against \$12 at Patzcuaro, and that firewood sells in the capital for \$16 per cord, while it is but \$2 at Patzcuaro." His belief is that the coal trade is likely to exceed all the other business.¹

¹ Mr. Buchanan, in his report, April 23, 1882, pp. 7 and 8, says: "Important as, I believe, will be the timber trade from the forests of Michoacan to the 'Bajio,' the capital, and the mines of the far North; the carriage of tropical produce and fruits to Central and Northern Mexico and the United States; the cotton trade from Texas and the Lagunas to the forty or fifty cotton mills which are already counted up on the lines of the Mexican National Company; the cattle trade from Michoacan and the 'Bajio' to Corpus Christi, and that in the national cereals; and the transportation of machinery, tools and hardware of every description from the United States to distribute throughout Mexico, this coal trade seems likely to exceed all in tonnage. With the increased activity of the people since the railroad works began, especially noticeable in the erection of new cotton and other mills, there seems to be impending a 'fuel famine' in the Republic. When I was here last the price of firewood in the capital was, if I remember correctly, about \$6 per cord. Two years ago I learn it was \$8 per cord. It is now over \$16 per cord, at which rate good coal at \$20 to \$25 per ton would be cheaper. The Government has just made a contract with the Vera

The question of fuel is one on which Mr. Bigelow lays great stress, and which is, in my opinion, another source of revenue to railroads built in Mexico. Mr. Bigelow takes the price of wood in the City of Mexico, where it is more expensive now than anywhere else, for reasons which I have already stated, and where it has doubled its price in the last two years on account of the building of railroads. The supposition that this is the price in the whole country is a very great mistake.

There are now large forests in Mexico which are yet untouched, and where wood is worth nothing. I have often seen many poor people, living near such places, using for cooking their food woods of the most expensive kind, such as ebony, rosewood, mahogany, cedar, etc. This fact will show what is the price of wood there. But as railroads advance to those regions the price of fuel, whether wood or coal, will be very much reduced, as it is now in other parts of the country.

In Sonora extensive deposits of anthracite coal are known to exist. In Northern Mexico an extensive coal basin has been discovered, resting upon the Rio Grande and extending into portions of the States of Coahuila, Tamaulipas and Nuevo Leon, extending over many hundred miles of area. This deposit has not been fully explored, but it is hoped it is sufficient in both quality and quantity to solve the fuel question, for railway use at least, in that portion of the Republic. On the table lands north of the City of Mexico other deposits have been discovered. And doubtless the new demand for coal will bring to light many other sources of supply.

There are besides several other coal beds already discovered in the States of Puebla, Oaxaca, Vera Cruz, Morelos, Tlaxcala and others. Humboldt affirmed, in 1804, the existence of coal in Mexico. Piedras Negras, a frontier town on the State of Coahuila, meaning *black stones*, is abundant in coal, which is found on the surface.

PECULIAR CONDITION OF MEXICO.

Mexico is a very peculiar country, little known and understood here. It has large plains on the seacoast, on both oceans, but they are com-

Cruz line to reduce its freight rate on coal to \$12 per ton from Vera Cruz to the capital, so as to permit foreign coal to be used. Considering the demand among 9,000,000 or 10,000,000 of people, dwelling chiefly in a treeless country, for fuel for mining, reduction works, factories, mills, gas works and household use, in connection with that required by the rapid spread of railroads, a line which can enjoy the principal coal traffic of the country would probably need but little other freight to keep it busy."

paratively uninhabited; and the main population lives in broken portions of the country and on the high and central table lands. Transportation over a mountainous country is so high as to make it impracticable to use articles of little value when they are at a certain distance. This condition of things, together with the climatic conditions of the country and the fertility of the land, produces phenomena which can hardly be realized here. A year of good crops in Mexico is a real calamity in many of its agricultural districts. As the production in that year far exceeds the consumption of the immediate neighborhood, and grain cannot be sent to any distance, on account of the high cost of transportation, the prices fall often below the actual cost of the grain, and for that year an abundant crop brings ruin to the planters.

The high cost of transportation explains why almost the whole Gulf and Pacific coasts of Mexico consume flour from the United States, notwithstanding the high import duty it pays—over 4c. per pound (10c. per kilogram)—and why in several places, as is now the case in Yucatan, even Indian corn is imported from the United States, when corn is produced in great abundance all over Mexico, and wheat is also produced very abundantly in the high lands and cold localities. When railroads make transportation easy and cheap all this will change, of course, and the roads will have all these articles to transport for home consumption, and we might then become large exporters of grain.

RAINFALL IN MEXICO.

Mr. Bigelow is not correctly informed in believing that there are only four months of rain in Mexico during the year. That may be so in the City of Mexico, but it differs very much in the different sections of the country.

The climatic conditions of Mexico affect the production of certain articles in a very peculiar way. Rain falls in great abundance as you approach the equator, and is considerably diminished as you come north. In the State of Chiapas, the most southern part of Mexico, it rains six or eight months during the year, in Oaxaca from five to six, in Puebla and the City of Mexico between three and four, and further north considerably less, excepting some localities near the coast, or on high mountains, where the rainfall is controlled by different causes. The heavy rains which fall from the City of Mexico toward the south make it almost impossible to raise wheat by natural irrigation, and the

only way of raising it is by planting it during the dry season—that is, in winter—and cultivating it by artificial irrigation, always, however, with the danger of having occasional and unexpected rains, which might destroy the crop. The necessary consequence of this is that wheat-growing is quite expensive in such localities, which are thickly populated, and wheat from San Martin, one of the best wheat regions in the State of Puebla, is worth at the City of Puebla about \$4 for 100 Mexican pounds, or about 96 English pounds. But as you approach the north, and the rainfall lessens, about Queretaro, for instance, and in what we call “El Bajio,” a very fertile region of Central Mexico, only about 150 miles north of the City of Mexico by the present road, wheat can be raised during the rainy season—that is, with natural irrigation—and, therefore, its cost is there quite low, and its quality very good. The abundance of rain in southeastern Mexico, which prevents the growing of wheat by natural irrigation, helps considerably the abundant and cheap raising of barley, and while about the City of Mexico a bushel of wheat is worth eight of barley, in the Bajio the price of each is about the same.

These facts, I think, go to show what a great local, or rather internal, trade in grain and other articles of necessary consumption this condition of things will necessarily bring about in Mexico when railroads are built there.

The foregoing very brief considerations show what a great mistake it is to consider that the rainfall in the City of Mexico is the standard for the rainfall in the Mexican Republic.

REVOLUTIONS IN MEXICO.

Mr. Bigelow considers that there is great danger to railroads in Mexico from revolutions which might occur in that country. Wars are, of course, great drawbacks to railroads; and, supposing that another war should occur in Mexico, the roads there would be subjected to the consequences, but no more than those of the United States during its late gigantic civil war. Fortunately, however, there is not much danger of any war in Mexico at present, no more than in the United States, and I believe that Mr. Bigelow himself expressed this opinion.

I really believe that war in Mexico would be less disastrous than in the United States. There have been several revolutions in Mexico which kept the Vera Cruz Company in almost constant turmoil, but its tracks and cars were not destroyed, and the only way in which the road felt the revolution was in the diminution of its business. But

there is not now any probability of revolutions occurring in Mexico, for all the purposes of revolutions are already accomplished. The country has undergone a complete change as a consequence of the many years of revolution which it has had. Their objects were hardly understood and appreciated in the United States. From a bigoted, intolerant country, it has been changed into a liberal, progressive nation; and this, of course, could not have been effected without great effort and without commotion and bloodshed to some extent. Neither England nor France nor other countries standing now at the head of the civilized world could establish civil and religious freedom without revolution and bloodshed. But once accomplished, all the purposes of the revolution and freedom of religion, freedom of education, equality before the law, trial by jury, etc., established, there is no political reason for revolution.

The several years that the political revolutions lasted created, to be sure, a class of men who prosper with revolution and who could not earn their livelihood in times of peace. These men were always bent upon revolution, and were the worst enemies of order; but now, with the prosperity of the country and the building of railroads, occupation is given to this class of men, and they are to-day as much interested in keeping the peace and preventing any further revolution as they were formerly in the reverse.

The building of roads and the prosperity of the country besides destroys revolution in another way. The Government is always stronger than any revolution in the beginning. Railroads now allow the Government to concentrate troops against any revolutionist and destroy him at once, and the prosperity of the country gives the Government sufficient means to break up any revolution in its birth. Nobody, therefore, will now think of recurring to revolution.

POLITICAL EDUCATION IN MEXICO.

Mr. Bigelow believes that there is very little political education among the masses in Mexico, and considerably less than really exists, and presents as proof, and in substantiation of his opinion, that in one of the recent elections held in that country only about 12,000 votes were cast, quoting from a letter published in the *New York Evening Post*, which makes the statement and expresses great surprise that the Mexicans should believe that any importance could be attached to any such small number of votes. This is a mistake, caused by a want of knowledge of the Mexican laws in regard to elections. In Mexico

there is no direct vote; that is, no Mexican can vote directly for his candidate for office (although every inhabitant enjoys the electoral franchise), but he votes for an elector, and the electors vote for the magistrate or official. In accordance with the act of the 12th of February, 1857, which is in force at present, each 500 inhabitants have a right to choose an elector, and these electors meet afterward to make an election. It will be seen, therefore, that 12,000 votes cast in one election does not mean, as Mr. Bigelow supposes, that only about 12,000 votes of inhabitants of Mexico had been cast, but that the votes of 6,000,000 inhabitants are represented by 12,000 electors. In former elections over 15,000 votes have been cast, which represent a vote of 7,500,000 of inhabitants.

FOREIGN IMMIGRATION INTO MEXICO.

Mr. Bigelow takes a very discouraging view of Mexican immigration, but I think on that point he is mistaken. To be sure, as long as Mexico does not have railroads to afford cheap and easy facilities for transportation, it can hardly be expected to receive very extensive immigration; but as soon as means are placed within the reach of new-comers I have no doubt that immigration will flow into that country as it has into the United States. Mexico has a very fertile soil, where, for instance, fruits which have a high market value and very large profit, such as bananas, coffee, cocoa, etc., etc., can be cultivated. Lands can be obtained in Mexico, as Mr. Bigelow acknowledges, at a much lower price than public lands can be had in the United States. Public lands in the State of Chiapas, for instance, which is one of the richest States in agricultural resources, are worth now 50 cents per hectare, which is equivalent to over two and one-half acres, making its value about 20 cents per acre, and I doubt whether there is any richer or better land anywhere on the globe, except perhaps in the valley of the Nile. Public lands in Sonora are worth, I believe, only 12½ cents per hectare. The land in Chiapas does not require any irrigation to raise the valuable tropical fruits named.

THE MEXICAN INDIANS CAN DEVELOP A LARGE TRADE.

But even supposing there should be no immigration to Mexico, I believe that the country would be very largely developed and the railroads would do a very large business with the native population of the country. About three-fourths of the population of Mexico, as Mr. Bigelow states, is composed of Indians. The population being

10,000,000, there would be 7,500,000 Indians. These Indians have distributed themselves over a very large area of country, and have been in a position where they need raise only sufficient produce for their consumption, there being no market for their surplus. This fact has made them produce little—only what is necessary for their individual and immediate use. As an instance of this condition of things, I will mention a fact that came under my own observation in Loxicha, a town in the State of Oaxaca. The inhabitants of the town cultivate especially corn and sugar—corn for their food, and sugar to sell in order to provide themselves with the other necessities of life. They manufacture their sugar without any modern facilities or implements. Their mills are generally worked by hand-power, and very seldom by mules, and their utensils are generally of the rudest kind. Some of their mills are situated thirty miles away from their towns, yet they manufacture sugar and carry it that distance, either on their shoulders or upon the backs of mules, and sell it at one cent per pound; and yet their towns are on the Pacific slope, and not more than forty-five miles from the Pacific Ocean. It can readily be understood how much the condition of these Indians would be changed and improved the moment they have a market in which to receive a fair value and profit on their sugar, and can obtain more modern implements and adopt more improved facilities in the manufacture of sugar alone, for such a change in their method would economize labor considerably, and would afford them an opportunity of selling that staple at four or five times the price they receive for it at present. And yet these Indians are happy, and quite well off when compared with others who have not the same natural advantages. I have, also, seen in other localities of the same State of Oaxaca, Indian women weaving cloth for themselves and families, and I have estimated that this occupation pays them about three cents per day. They occupy themselves in this way because they cannot use their labor in anything that would prove more profitable. It can be readily seen how the condition of these people would be improved if they were offered proper opportunities for making their labor available, and by which they could produce more for their own consumption, as well as for sale.

I have not seen any people more docile and more deserving of a better fate than the Indians of Mexico. They are ignorant and poor, for reasons that I have already set forth, but there are elements in them to make them a great people. Whenever any one of the race

has had the advantages of education, he has risen to the highest standard. Many of Mexico's most distinguished men, either as statesmen, patriots, soldiers, etc., have been pure-blooded Indians, as Juarez and Morelos. I have the highest sympathy for them, and I would spare no effort to do them justice and to advance their condition in every way I possibly could. I believe one of the most effective means to obtain this result is to increase their wages, and this has already been one of the first effects of railroad building in Mexico. When they are well off they will be a different people from what they are now.

I have carefully and closely studied the cultivation of coffee in Mexico, and I am satisfied that it can be raised there in good locations with economy, and secure about fifty per cent. profit on the capital invested in its cultivation. But even allowing that there would be no immigration into Mexico, and the agricultural resources of that country were not developed, I believe that the mineral resources would give large returns for the capital invested in railroads.

SUPPOSED OPPOSITION TO RAILROADS IN MEXICO.

Mr. Bigelow asserts that there is a strong opposition to railroad building in Mexico, and he has no doubt that, if the whole nation was freely permitted to express itself, it would be in favor rather of taking up every rail which had been laid toward the American frontier than for putting another down. Certainly, on this point, he has fallen into a lamentable error. The people, from the most intelligent to the most ignorant—with very few exceptions—are not only in favor of railroads, but are very eager to have them built. I have had a very marked proof of this in a lengthy letter which I received very recently from General Diaz, late President of the Republic, and now Governor of the State of Oaxaca. The Mexican Southern Railroad, of which General Grant is President, is projected to run from the City of Mexico to the Pacific, through the State of Oaxaca. General Diaz writes me that the people are manifesting great impatience at the delay in the construction of this road; that he is very much embarrassed, as Governor, to satisfy their clamor; that, unless the work is soon undertaken, the men of property and means are threatening to withdraw their capital from the State; and that there is danger of a panic and bankruptcy unless something is done to appease the general impatience. He begs me to give him some encouraging assurance on the subject, and says that the State Government is ready to vote a

subsidy if it is desired, and will promote the early beginning of the work of construction.

Another proof of this friendly feeling is noted in the report of the London engineer, Mr. Buchanan, heretofore quoted. After an extensive tour through the interior of Mexico, he writes:

"The new railways are undoubtedly quite popular. The railroad feeling runs strong among nearly all classes. There is no trouble with the landholders whose properties are invaded (less even, I believe, than in the United States), thanks partially to the clause in the concessions making the previous year's appraisement for taxation the basis of valuation when condemned; and I have seen little of that undue official interference and over-exactness which might have been feared. The Government inspectors, as well as the heads of departments and the people, all appear too much interested in the progress and success of the lines to think of imposing useless standards and formalities—at least this is our experience at this end of the line." The only persons I have heard of as entertaining ideas against railroads, or rather expressing any fear on account of railroads being constructed, are engaged in the carrying business—that is, the owners of mules and carts—for they know, of course, that they cannot compete with railroads, and they fear that as railroads advance their business will be decreased and destroyed. They do not seem to realize that the railroads will afford better opportunity for employment, with higher wages and larger profits. But even this class are not opposed to railroads; they are only apprehensive that their interests will be endangered by the building of such means of transportation. With the exception of this class of people, I feel assured that the public sentiment is in favor of railroads in Mexico. The people are convinced that such a system of transportation and communication will make the country more prosperous, and they are decidedly favorable to the building of such roads; and the result of the beginning of railroad systems of transportation and communication has encouraged every one in the belief that when completed the prosperity of the country will be enhanced and its interests promoted. Everybody has noticed that the beginning of railroads in Mexico has already been attended by increase of wages and increased price of real estate, and therefore everybody feels the advantages of such a system and is in its favor. None of the lines which have been commenced are yet finished so far as to develop a larger trade in Mexico; none of them connect Central Mexico with the United States, and yet the prosperity of the country is already apparent. Lands in the

vicinity of the roads have increased in value, and a great many new buildings have been erected in the cities, and now new enterprises are being engaged in. Business has increased enormously, as is evidenced by the revenue collected last year.

INCREASE OF REVENUE.

The federal revenue of Mexico from 1870 to 1879 averaged not more than \$18,000,000 per annum, and in 1880, owing to the progressive movement in business, caused by the building of new roads leading to the United States, the revenues increased to upward of \$25,000,000; and for the fiscal year ending June 30, 1882, reached \$30,000,000, most of it from custom-house duties. So that in four years Mexican revenues have almost doubled. The custom house at Vera Cruz, which is now the principal port of the Republic, yielded up to 1879 about \$3,000,000 per annum, but in the last fiscal year, ending June 30, 1882, the amount of revenue collected at this port was \$12,000,000, or four times as much as formerly. These facts speak more eloquently and effectively than any argument that could be submitted of the first result of railroad enterprise when in its incipient state.

RAILROAD SUBSIDIES.

Railroads in Mexico have been encouraged by subsidies, it being supposed that they would not otherwise pay, but I believe this has been a mistaken policy. If railroads do not pay, subsidies will not materially help them, and if they are paying investments they do not need to be subsidized. This conclusion has been reached in the United States after long experience, and I believe that Mexico will soon reach the same decision. When subsidizing a road the Mexican Government acts upon the principle of copartnership—that is, as a part owner of the road—and therefore reserves to itself certain rights; for instance, directing the route, how it shall be built, whether in a light or substantial manner, what shall be the rates for passengers and freight, etc.; and it is proper that it should be so, because, as Mr. Bigelow acknowledges, the subsidy paid by the Mexican Government was about equal to one-half of the cost of the road, and it is only just that the party furnishing such a proportion of capital in the project should have an adequate control in the management of the road. But Mexico has given several grants to railroads without any subsidy, and in such cases the Government only exercises such rights as are inherent in the

governing power of a country. It is of course for the parties who undertake to build railroads in Mexico to decide as to what kind of grant they wish to apply for, whether the subsidized or the unsubsidized concession.

FOREIGN INTERFERENCE IN RAILROADS.

I fear that Mr. Bigelow has not thoroughly studied the question of the rights and obligations of railroads toward the Mexican Government, and for this reason he finds fault that by the provisions of all grants the railroads give up any claim to the protection of their respective governments, and agree to accept the decision of the Mexican Government in all cases. These provisions seem to be simple and natural, and I believe that this is the general opinion in this country. A great many of the roads in the United States have been built with English capital, and I have no doubt there have often been complaints about many of them. Suppose that the owners of such roads had conferred with the parties who furnished the capital with which they were built, and applied to Great Britain and asked interference in their behalf, would the United States have allowed such interference? I think not, for reasons that are very obvious and fundamental, and which I think it unnecessary to state here. American capitalists can certainly expect to be treated in Mexico in no different manner from that in which British capitalists are treated in the United States. A great many circumstances have made it necessary for the Mexican Government to take this precaution, which by many may be thought unnecessary. Mexico has been so far a victim of foreign claims which have caused very great trouble. In 1838 that country had a war with France on account of certain claims, most of which were fraudulent in character. One of the reasons alleged for the war between the United States and Mexico in 1846-7 was the unsettled claims of American citizens against Mexico. At the end of that war \$3,250,000 was set apart for the payment of these claims, and a commission was appointed to hear or examine into the equity of them, but I believe a considerable part of the money could not be distributed among the claimants, because their claims proved to be unfounded, and a large portion of what was distributed was afterward found to have been upon fraudulent claims, as was the case in the celebrated Gardner claim, amounting to \$428,000.

Finally a treaty was entered into between the United States and Mexico in 1868, and a commission appointed for the purpose of

auditing claims between both countries, and out of claims presented against Mexico, aggregating \$470,000,000, the mixed commission only awarded \$4,125,000 against Mexico; that is, one per cent. of the amount claimed before that commission, and about one-half of this amount was found afterward to have been obtained through fraud. These facts, in my opinion, show conclusively that the Mexican Government has been justified in taking the necessary steps to prevent from the beginning any international questions of this character arising from the building of railroads. Otherwise, as I have said, these precautions might be unnecessary, as international law does not favor such claims, and the foreign policy of the United States Government has been invariably not to interfere in cases of contracts made by its own citizens with foreign governments, as they are made at their own risk.

MEXICAN CAPITAL INVESTED IN RAILROADS.

Mr. Bigelow was badly informed when he expressed the belief that not \$50,000, if half that sum, had been contributed by Mexicans to the international railroads now building in that country. The fiscal agents of the Central Railroad report \$1,250,000 as pledged and invested by Mexicans in that enterprise, and that in the last subscription issued by that company \$500,000 had been subscribed by Mexicans living on the line of the road. I have not the statistics as to the other companies, but there are undoubtedly subscriptions to a greater or less amount. But even conceding that there are no large Mexican investments in such enterprises, I do not think it would indicate that the Mexicans have no faith in railroads. They have no experience in this matter, and it is but natural that they should be slow in investing their money in enterprises with which they are unacquainted and do not understand. Besides, there is not much money to invest in such enterprises in Mexico, for while the country is rich in natural resources, it is comparatively poor in cash, or ready money, on account of the unsettled condition of things for many years. Again, these enterprises are organized in the United States—that is, in a foreign country—and it is only natural that Mexicans should be reluctant to invest their money in enterprises regarding the management of which they have little information, and in which they do not take part; but when they can understand and control enterprises they are very willing to invest their money, as is the case in regard to railroads built in their country by Mexican projectors. For instance, the

Morelos road, which is about 100 miles long, commences at the City of Mexico, on an altitude of about 8,000 feet above the level of the sea, and extends to Cuautla, about 3,000 feet above the sea level; that is, descending about 5,000 feet in 100 miles, on a slope of the highest mountains which surround the Valley of Mexico, the snow-peaked Popocatepetl, so well known in the United States. The necessary consequences of the configuration of the country is another reason for the road being somewhat expensive in its construction. This road has been built in a comparatively short time, and with Mexican money alone; the company did not ask for a single cent of foreign capital. This road has been in operation about a year, yielding very large returns, and its owners are so much pleased with their investment and property that they are now making arrangements to extend the road to the Pacific coast.

There are besides several other railroads, not so long as the Morelos one, which have also been built exclusively with Mexican capital. I will only mention the one from Progreso to Merida, in Yucatan, about 30 miles long, already built and in running order, and the Hidalgo road from Pachuca to join the Vera Cruz road, which is already over 30 miles in length. There are besides a very large number of roads of minor importance which are now in process of being built, like the Alvarado and Vera Cruz Railroad, the Puebla and Matamoros Railroad, the Puebla and San Marcos, the Mexican and Irola, etc., etc.

MEXICAN TRADE.

Although in my opinion, as I have already stated, the internal trade of Mexico would be ample to support railroads and make them paying investments, a population of 10,000,000 inhabitants, when they are afforded facilities to produce and consume, necessarily requires a great deal of transportation. Bearing this in mind in considering foreign trade with Mexico, it may be seen to what extent it can be increased by the help of railroads. As long as there were no railroads in Mexico almost the only articles which could afford to pay transportation were silver and gold. For many years precious metals have been the only exports from Mexico, excepting a very small amount of tropical fruits which are produced on the coast near the seaports, and which for that reason could bear the expense of water transportation. The amount of exports from Mexico under these circumstances did not exceed \$25,000,000 per year; but when railroads are built to the new regions of the country, and they are

brought into easy communication with the outer world, exportation will increase. Although the Vera Cruz Railroad has not done much toward this development of the country, and the new roads have not yet reached the United States, the exports of Mexico have increased within the last two or three years from \$25,000,000 to \$35,000,000 per annum. Of these exportations other articles than silver and gold represent now about one-third of the whole of the exports. These facts I believe speak for themselves.

At a meeting recently held by the New Orleans merchants, in the Crescent City, for the purpose of taking the necessary steps to avail themselves of the prosperity of Mexico by increasing their trade with that Republic, a report, made by a committee previously appointed for the purpose of examining the matter of increasing commercial relations with Mexico, was read, and contains remarkable facts about the way in which the trade of Mexico is already increasing long before her trunk lines of railroad are finished.

The following is an extract from that report:

The following table shows that the trade of the United States with Mexico, exports to and imports from, for the fiscal years 1879, 1880 and 1881, has moved as follows:

	1879.	1880.	1881.
Exports	\$6,761,284	\$7,869,864	\$11,172,738
Imports	14,047,819	16,325,417	17,454,126
Totals	\$20,809,103	\$24,195,281	\$28,626,864

Showing an increase in two fiscal years of \$7,817,701.

To illustrate the movement somewhat more in detail, we present the following table:

EXPORTS FROM THE UNITED STATES TO MEXICO.

Articles.	1880.	1881.
Cotton	\$1,176,067	\$1,491,101
Cotton goods	832,000	1,018,600
Machinery	365,200	988,800
Other iron manufactures	390,000	913,000
Quicksilver	377,825	462,159
Indian corn	68,872	210,182
Fire arms	209,467	224,301
Chemicals, drugs, etc.	142,237	209,953
Builders' lumber	130,506	183,436
Sewing machines	135,823	179,555
Petroleum	155,328	173,155
Gunpowder	49,627	145,397
Edge tools	97,936	138,469
Totals	\$4,130,888	\$6,371,108

We have then increased our exports to Mexico in a single year \$2,240,220.

If the American goods that are smuggled into Mexico are embraced, the volume of trade between the two republics will reach \$35,000,000.

VERA CRUZ.

The following table shows the steady progress of customs duties at the important port of Vera Cruz. The receipts are:

1878.....	\$5,749,000
1879.....	7,586,500
1880.....	8,240,500
1881 (first six months \$4,290,500) or.....	8,581,000

NATIONAL REVENUES.

The federal revenues of the Republic of Mexico for several fiscal years run thus:

1878-79.....	\$17,811,125
1879-80.....	21,936,165
1880-81.....	22,142,039
1881-82.....	25,725,000

A gratifying record of steady internal development.

COFFEE.

The following table shows the steady, gradual increase in that production. The imports into the United States from Mexico of coffee since 1875 run as follows:

<i>Years.</i>	<i>Pounds.</i>	<i>Value.</i>
1875.....	2,691,889	\$485,000
1876.....	3,941,228	713,833
1877.....	6,789,693	1,265,970
1878.....	6,337,063	1,082,272
1879.....	8,307,040	1,371,979
1880.....	9,818,525	1,523,658

The United States consumes only a portion of the coffee produced in Mexico. This country consumed last year 445,000,000 pounds of coffee, about nine pounds to each of its 50,000,000 of people.

With the best coffee in the world growing as near as the pears and grapes of California, and itself a less perishable commodity than fruit, we get but one-fifth of one pound per head from Mexico.

PROPORTIONS OF THE COMING TRADE.

The magnitude of the possible trade with Mexico in the immediate future is strikingly demonstrated by the latest returns of our own Treasury Department.

The total value of the imports of merchandise entered for consumption in the United States, from the whole world, during the last fiscal year, was \$650,618,999.

Over one-half of this entire sum consisted of seven leading articles, as follows:

Sugar and molasses.....	\$93,404,288
Iron, steel and their manufactures.....	46,439,747
Coffee.....	56,784,391
Silk and its manufactures.....	42,944,965
Drugs, dyes and chemicals.....	36,590,473
Wool and its manufactures.....	40,860,394
Cotton and its manufactures.....	31,976,637
Total.....	\$349,000,895

Five of these articles (sugar and molasses, coffee, wool, drugs, dyes and chemicals, and cotton) are staples of Mexico, which she can produce almost indefinitely, if there is a market for them and means to get to the market.

As an illustration of the progressive growth of the Mexican trade, it may be stated that the exports from New Orleans to Mexico have increased over 400 per cent. since the year 1879.

This satisfactory result is due in great measure to the energy and exertion of a few merchants. What then could not be accomplished by the united efforts of our entire business community?

In a report made by the Secretary of the Treasury of Mexico, on the 15th of January, 1879, in answer to some criticisms about Mexico made by the then United States Minister to that country, and where the whole situation of the country and its future were fully reviewed, a prediction was made that I think will be realized before long, to the effect that the \$30,000,000 to which the exportations of Mexico then amounted would soon reach \$200,000,000.¹

FUTURE OF RAILROADS IN MEXICO.

I feel convinced of the success of all railroads built in Mexico, provided they are well devised, that is, put in communication with the largest centers of population, where are the rich districts, well located (which is a very important point or condition in such a broken country as Mexico), and are economically constructed. I am perfectly satisfied that any road established upon these conditions would be a paying one.

Had I ten or twenty million dollars I would not hesitate about investing it in roads built under such conditions. So strong is my conviction on this point that I do not hesitate to make it public.

My official position in this country does not call for the expression of any such opinions from me, much less to answer articles published by the press of this country, no matter how injurious they may be to the interests of Mexico. I feel a hesitancy about saying anything on

¹ The following extracts are taken from the report of the Secretary of Finance of the United States of Mexico of the 15th of January, 1879, on the present condition of Mexico and the increase of its commerce with the United States, replying to the letter of the Hon. John W. Foster, United States Minister to Mexico, of October 9th, 1878, to Mr. Carlisle Mason (page 159, English edition, New York, 1880):

"833. If, by the increase of mineral production of this country, the exportation of the precious metals should be increased to \$100,000,000 per year, and if, by the increase of agricultural production, there should be exported of coffee alone \$50,000,000, and as much more of sugar, the importation of foreign merchandise, instead of being nearly \$30,000,000, as it is now, would rise to the sum of \$200,000,000 per year, assuming proportions which, although they may appear fabulous now, are in reality in no wise exaggerated.

"834. If this increase, as large as it is easy, in the production of Mexico, should be owing to North American capital and spirit of enterprise, it is certain that they would reap the benefit in the increase of importations, and that the commerce of the United States with Mexico, instead of representing \$7,000,000 per annum, as it does now, would rise to \$150,000,000 or \$180,000,000."

this subject, and possibly it might be more prudent for me not to do so. I esteem too much my own sense of veracity to venture any opinion or predict anything which might not be realized hereafter, or which would impeach my motives or judgment in the future. In writing this article I pass beyond the sphere of my official duties, as I understand them and they are generally understood, and I only do so for the sake of preventing or avoiding any prejudice or injury to the works already begun, and which promise to be so advantageous to both Mexico and the United States. Of course I do not mean to say that any road which is not wisely devised, not properly located, and not economically built, would be a good investment, as the consequence of such mistakes would be to make the road cost four or five times as much as it could be built for under other circumstances, and no large returns could be expected therefrom. The history of the Vera Cruz road might be repeated, and under circumstances which would not save the new enterprise from bankruptcy, as the Vera Cruz road was redeemed in the manner I have shown.

CONCLUSION.

I would present many more facts and reasons which would support my views of the case, that is that railroads prudently undertaken and economically built are a very good investment in Mexico, but I am afraid I have already written too much on this subject for ready perusal, and I hope what I have written is enough to substantiate the position I have taken, not as one expecting any pecuniary profit from any road now under construction or in contemplation, but as a Mexican who desires earnestly and ardently the welfare and prosperity of his country, and wishes that such an end will be realized through the pecuniary assistance of the United States, because he is satisfied that this business connection will contribute in a great degree to develop the friendly and commercial relations between the two countries, which will be mutually profitable and advantageous, and will make us friends and brothers.

M. ROMERO.

THE INTERNATIONAL REVIEW.

DECEMBER, 1882.

THE POLICE PROBLEM.

THE most conspicuous failure of American civilization is the American policeman. He is the bar sinister on the shield of every American city; an amazing satire on our love and reverence for the law. Were he merely a failure as an element of our social structure it would not be so bad; but he is everywhere the supreme disgrace of the day, a disgrace that yearly grows more and more patent, and more and more offensive. Corruption flourishes in the policeman's care, crime waxes fierce and careless, and a large premium is placed on brutality—masquerading as authority—of which he is the foremost type.

Being that visible form of the law most familiar to the people, he should have instilled respect, fear and obedience. He has succeeded everywhere in exciting contempt, disrespect and revolt. To make fun of the police, to sneer at their efficiency, to laugh at their clumsy attempts at detection, have grown to be, through police incompetence, instincts of all city dwellers. The policeman is invariably made ridiculous on the stage, he is unanimously lampooned in the papers, he is universally "sassed" in the streets, on duty or off; but preferably while on duty, for then he is the puny, limping majesty of the law.

One of the wizened officers who kept the sacred peace of Salem city, a tall, aged man, borrowed possibly from a Hawthorne romance or left behind by some careless century, remarked on one occasion that "more people were arrested for sassing the police than for any other crime." Shades of Claude Duval! Yet this, to a serious degree, is the modern policeman's idea of how the law should be upheld. He demands instant obedience to anything he may say,

and if he does not get it repeats the sentence in choice profanity, often punctuating his words with his club, or he drags the innocent remonstrant to the lockup on a charge of "disorderly conduct." Disobedience to himself is held to be a greater offense than disobedience to the law. With this idea of the statutes he terrifies small boys and women—the criminal classes never. They know that he is slow, sleepy-eyed and corrupt. "Two policemen," says a floating paragraph, "met last night on opposite corners of Broadway at Grand street. Says the first comer, 'Moike, are yez there?' Answers the second comer, 'Well, yer can bate yer shwate loife I'm there or thereabouts.'" How thoroughly this is appreciated by the criminal! How essentially our policeman is "thereabouts" and not "there"! How universal it is to find him represented in the hour of necessity by X, an unknown quantity!

As a man the nowadays policeman is brutal, ignorant, stupid; or brutal, fairly educated, cunning. From the second is manufactured an officer; the first always remains a private. Officer or private, his instincts have never had the training that controls nor the cultivation that refines. The appointing power asks of him, Who wants you appointed? How tall are you? How strong? If the answer to the first question is satisfactory a uniform is then brought, and so wonderful is its make that an ignorant blackguard, when thrust into it, becomes at once a capable officer, whose intelligence, virtue, courage and sobriety are vouched for with the star of authority. Yet this same officer, when on duty, is more apt to be drunk than sober; he knows no law other than his own passion; he uses profane and vulgar language, to the shame of his commission; his address is coarse and familiar both with inferiors and superiors; to his political sponsors he is a servile flunkey; by day and by night he is subject to the paralysis of hush-money, which not infrequently assumes the shape of sly potations and secret sandwiches; he is so "dear" a friend to the gambler that the law must hire instruments other than its own to cause a gambler's arrest; he is so intimate with the rum-seller that due notice is afforded that genius of police intentions to suppress him; and sometimes so much is the policeman with the criminal that you cannot distinguish between them, save that the criminal is the more honest of the two! The old proverb, "Set a thief to catch a thief," finds living verification on every corner, and there is no longer any doubt but that the proverb was written for the latitude and longitude of the United States. And his work is performed from no sense of

duty, but for what he can make out of it, either in place or cash. He will "stand in" with the thief rather than the law, if there is more to gain by so doing; and he is ever ready to convict the wrong man, if he can thereby secure a point for promotion. The moral law is to him a myth; the local law a piece of polished locust. The people are a set of ninepins, to be knocked down at will, and the authorities the losers, whose duty it is to pay for the game.

"But," opposes the reader, "this is too black a picture; you have made your policeman too much of a villain; I know policemen who are honest, intelligent, faithful and courteous." So do I; but these are the unhappy exceptions—a few rare exotics amid an acre of weeds. There is nothing I have charged above but what has been proved of the police of the United States during the past year; not of one single man, but of them collectively, of them typically. Read this from the *Philadelphia Record*:

Edward Fish, a gray-haired man, yesterday occupied a seat in the dock of Judge Thayer's court. He pleaded guilty to the larceny of a traveling-bag. After the case against the prisoner had been heard, Detective Weyl and several of his brother detectives took the stand and testified that the accused was an old thief, and in support of their allegations produced a photograph from the Rogues' Gallery which bore a striking resemblance to the accused. The case seemed conclusive against Fish, when the District Attorney discovered that on the back of the photograph it was written that the person whose "phiz" was depicted had certain cabalistic marks tattooed on his right arm. Forthwith the prisoner was directed to bare his arm, and a search for the marks was made, when lo! to the surprise and discomfiture of the detectives and the amusement of the general public, not a single tattoo mark was to be found on either arm of the prisoner.

And this, telegraphed to the *New York Herald* from Frederick, Maryland:

An inquest was held here to-day upon the body of John Israel Groff, who was shot on election day by Police Officer Porter. Some twelve witnesses testified, and the tenor of the entire testimony taken was to the effect that Groff had not been near Porter nor given any provocation for his murderous assault, although there had been a large crowd of colored men around Porter at the time. It seemed to be the general sense of the witnesses that the man Groff had been some distance from Porter at the time the altercation arose, and in Porter's retreat from the maddened crowd he drew near to Groff. After firing a couple of shots into the crowd he turned his pistol directly upon Groff and fired two balls into him. The first, which passed through his left lung and partially severed the main artery, caused his death. Messrs. Maulsby and Nelson, counsel for the prisoner (Porter), were present, but did not take any part in the proceedings. After half an hour's deliberation the jury rendered the following verdict: "That said John Israel Groff came to his death on the morning of November 7, 1882, at Frederick City, Md., from a mortal wound inflicted with a pistol in the hands of Police Officer Charles A. Porter."

And this from the *New York Sun*:

Mr. Edward Scheyer, a maltster, of 462 West Forty-fourth street, obtained from Justice Ford, in the Jefferson Market Police Court, yesterday, a summons for Policeman Eugene

Reilly, of Captain Washburn's command, on a charge of violent and uncalled-for assault, for threatening to shoot him and for unwarranted arrest. Mr. Scheyer last night served the summons upon Policeman Reilly. Mr. Scheyer, who has several respectable business men as witnesses, said: "On Thursday night I was walking up Eighth avenue. When near Thirty-fifth street I noticed a man and woman quarreling, and at the same moment the woman struck the man in the face with her fan. The man, who was in citizen's dress, but whom I now know to be Policeman Eugene Reilly, drew a short club from his pocket and struck the woman several blows, at the same time kicking her. The woman fell and screamed piteously for help. A great crowd was attracted by her screams, and I, with my friends, ran up. As the man kept continually beating the woman, many cried, 'Shame! shame!' The man, who was dragging the woman along the sidewalk in a brutal manner, shouted that he was a policeman, and would arrest anybody who interfered with him. I told him that he should not treat a woman in the manner he was doing. This seemed to drive him fairly crazy, for he let go of her and sprang at me.

" 'I'll take you in, anyway,' he shouted.

" 'I saw he was drunk, so I simply said: 'Take me in.' Then he put his hand back into his trousers' pocket and drew a pistol, which he put to my head, threatening to blow my head off. The crowd that followed us to the station was greatly excited, and some of those who composed it cried, 'Shame! shame!'

" 'All the way to the station the man treated me in such a brutal manner that I have not yet recovered from the effects of the assault. Even before the desk, while Sergeant Havens was taking down the complaint, Reilly made a furious assault upon me and tried to shoot me. The pistol was taken from him. Fortunately, Sergeant Havens, who is a cool and gentlemanly man, listened to me patiently and to my witnesses. Then he at once discharged me."

And this from the *Chicago Times*:

A Chicago Police Justice yesterday fined a girl \$5 for being alone in the street at 9 o'clock in the evening. She was on her way home from the store where she worked, and had deviated slightly from the straightest route in order to get air and exercise, when a policeman accosted her insultingly. She retorted saucily, and an arrest for spite followed. The magistrate said it was doubtless true that she was entirely respectable, but she deserved punishment for being out unattended after dark.

And this from the *Philadelphia Press*:

The New York police force of about 2,300 men had over 100 men on trial Wednesday for offenses of varying brutality, from clubbing defenseless women to arresting men for sitting on their own doorsteps. But this did not prevent one of the men on duty from furnishing ground for another complaint by knocking a young woman down. Judging from the proportion of cases to the number of men on duty, about every tenth policeman on New York police beats commits some act of violence every month or two.

There is no need to multiply instances. Those above are from the newspapers of the past six months. The testimony could be furnished to fill hundreds of pages such as this, and the objecting reader should remember that the strength of a chain is the strength of its weakest link.

The police are the eyes, ears and hands of the law. If the eyes are shortsighted eyes, if the ears are deaf ears, and the hands paralytic hands, what chance has the law for execution? What

chance for respect, for value as a deterrent? It has to deal with the sharpest, shrewdest class of citizens in the community. Virtuous citizens are never a match for vicious citizens in energy, ability or enterprise. The Jay Goulds can always get round the honest man. Herein lies a second charge against the police. In addition to being absolutely incompetent, they are absolutely non-progressive. The methods of policing employed five-and-forty years ago are their methods to-day. Where they are not marching to the rear, they are standing still. If they adopt any improvement the suggestion comes from an outsider, not from a police officer; and, what is more discouraging, the police seem to have no ambition to do anything to improve the police systems of the country. The criminal classes are two hundred years ahead of the police in everything indicative of progress. The discoveries of science, the conflict of laws, the triumphs of invention, the carelessness of commercial dealings, are appreciated first by the criminals, last by the police. The skilled forger knows everything about inks, printing and lithographing; about chemicals and paper; about checks, business forms and methods. The burglar has minute knowledge of the properties of iron and steel, and understands the temper of metals. He can tell silver from plate; knows what paper is negotiable and what not; is acquainted with the intricacies of locks; can ascertain by listening to the lock movements on what combination your safe is shut; has studied the power and effect of explosives; the use and strength of anæsthetics; the limits and loopholes of the law. There is little about plates, engraving processes and printing, paper and paper manufacture, that is new to the counterfeiter. The coiner is a machinist and practical metallurgist. The swindler is a student of law. The murderer is a chemist, skilled in the virtues of poisons, and has a profound knowledge of anatomy. And these brilliant, clever, energetic gentlemen arrive in town by the limited express, notify their confederates by telegraph, dispose of their successful villainy by advertisement in the leading newspapers, and retire to the metropolis to enjoy their gains!

Per contra, what do the police know of all the trades and professions of the criminals, or of the progress which they indicate? Nothing. For thirty years and over the police have enjoyed the advantages of the telegraph, and I have yet to learn of a first attempt to secure for important police messages priority over private business. No desire has been manifested to regularly exchange important information between city and city, as it is done in England by a daily

official gazette. No systematic effort has been made to suppress the sale of stolen goods by regulating the pawnbroking business. A general of the army would hardly think of placing all his sentries in the middle of his camp. Yet in each of our cities the most illy-protected portions are the outskirts, where a single patrolman is accounted sufficient for ten to fifteen miles of streets. The policeman in England, France, Germany, Spain, Belgium, Austria and other countries is trained to his duties. Some preparation is made, some care taken, that he shall not enter on his high responsibilities without at least being warned of their nature. He studies invariably all law likely to govern cases in which he will be called upon to act; for a policeman is constantly obliged to decide at a moment's notice law points that take the greatest lawyers in the commonwealth months to wrangle out afterward. What preparation have our policemen for this duty? None. We confide the highest responsibilities, the most vital questions, our property, our lives, to the hands of crass ignorance, and trust to luck for security. Our business men repose so much confidence in the police that they employ thousands of private watchmen to attest it. And we permit them to do so, for we permit most anything. We permit, for instance, any kind of iniquity to be practiced by private detectives. We even allow them to work up evidence against the government, against the very authority that licenses their existence. And nowhere are there signs of change. Chicago enjoys one jot of progress—a police wagon. Boston made a move in the right direction some years ago, and organized a Board of Police Commissioners. But the infant was soon throttled by political influence, and is dead. "Philadelphia," says her Mayor in his annual message, "has the finest force in the country," and the force must be excused when respectable citizens are clubbed, because it is only done when the police are under the stress of arduous labor. Is it supposable that a policeman would club a respectable man over the head if he had a month's time to think about it? The evil is that whenever there is the least strain the chain snaps, and some one else is hurried away to the hospital or the morgue; while heart disease, apoplexy and fits are mistaken for drunkenness, and the cells of the station-houses are filled with dying men.

This is the police problem; this the picture before us: Incompetence, ignorance, brutality and corruption. From whence the deliverance? It is idle to hope for anything out of the regeneration of political parties. That day is too far off. Policemen must and will

remain the approximation prizes of political lotteries. The power of the police is too great, too valuable to be surrendered by the politician. As a menace or a reward it is all-potent. It is usually the extent of the ward-worker's ambition, and no political manager ever yet had the least intention of abandoning the ward-worker or his desires. Relief from this quarter, the only quarter it can now come from, is impossible. A Chinese wall of selfishness is in the way. Whence then the deliverance, the solution of the police problem? In my judgment from the editorial rooms of the great daily newspapers, in the formation and operation in every large newspaper office of a BUREAU OF CRIMINAL INVESTIGATION.

It is not necessary to detail here the methods that would be employed in the organization of the bureau; they would be understood only by newspaper men. Suffice it to say the bureau would be organized with a chief and the necessary number of assistants. All would be able, gentlemanly journalists, with some taste and decided abilities for their work. The first step to obtain the necessary powers would be swearing in the men as special officers without pay, which would give them the authority to make an arrest. The want of this authority has threatened the defeat of justice in dozens of instances. Mr. John Norris, of the *Philadelphia Record*, when he had unearthed the bogus-diploma doctor, Buchanan, was obliged to take an officer with him to Detroit, merely that the officer—otherwise of no earthly use—might make a legal arrest. The Boston *Herald* representative who captured Chastine Cox followed that murderer for a mile and a half on Boston streets without seeing a policeman, and was obliged to leave Cox unwatched in order that the authority necessary to cause his apprehension might be summoned. But no one will dispute me that the power to arrest should be conferred on the ability to detect. After the power of arrest had been secured for the members of the bureau, they should by study and examination prepare to qualify as notaries public or justices of the peace, and such laws should be passed as would confer on them not only the authority to take a sworn deposition, but in cases of crime the power to compel one, as have the "judges of instruction" in France. On passing the examination prescribed for admission to the bar, the bureau reporters would receive a license—say yearly—from the State executive, which license should be indorsed by the executives of all States in which the reporter would be likely to go. This authority to take sworn depositions in murder and other cases, depositions taken before the witnesses to the crime had

opportunity to confer with each other, or read the morning papers and make ready a tale of deception and delusion, would prove of enormous, inestimable value to the machinery of American justice. It would increase the number of punished cases at least thirty per cent., and it is easily appreciable how much more valuable would be the depositions taken by keen-eyed reporters, educated to the law and having professional pride to sharpen their wits, than unsworn statements obtained by uneducated policemen, whose first care is to ascertain the political and social affiliations of the accused. Also, how much clearer and intelligent would be the reporter's testimony than is that of the policeman, who usually appears in court with a sergeant or lieutenant as his prompter and coach. Additionally, the reporters would be well read in criminal jurisprudence, qualified in local law, posted in the history of crime, and up in chemistry, mechanics, anatomy and the habits of the criminal classes. There would be no attempt to do a general police business, nor make an investigation of petty misdemeanors. But there would be a most energetic, determined effort to uproot all great and peculiar crimes, and to detect and punish the leaders in those fearful mysteries that nowadays occur only to be added to the catalogue of unsolved horrors. It is not necessary to argue the ability of the newspaper men to detect where the police fail. The files of the daily papers will show that for the last five years all of the great crimes that have been detected have been through the active agency of a reporter; that is, the reporter has furnished *the detecting link* in the chain of detection. And this has been done while the reporter has been handicapped with the silence of the authorities, to whom of course has been accessible all official information. The striking triumph of the *Detroit Post and Tribune* in proving a man guilty of murder after his acquittal of the charge in a court of justice is proof of quite recent date. And every journalist is aware that if a great crime is committed, say at 6 P. M., the newspaper which closes its columns at 3 A. M. next day will, ninety times out of a hundred, contain more information concerning the affair when it reaches police headquarters at 7 A. M. than is known to the police at that hour. The late Henry Pawling Ross, President Judge of Montgomery County, Pennsylvania, had a murder case before him last year, and during the examination he threatened to commit two private detectives—who had the case in charge—as accessories after the fact, *because they refused to give information to the reporters*. On being asked about the matter he said to me that reporters had come

to be a far more efficient agency in the detection of crime than the police, and that he held it a principle of law that no one should be allowed to place obstacles in the path of justice.

Objections will at once be offered to my ideas. I shall be told that "the reporter, already a necessary nuisance, if given legal license in addition to that he now assumes, will ruin every man in the community; that he will become the terror of the town; that all kinds of villainies will be practiced for the sake of sensations and in the contests of rivalry; that social blackmail of gigantic proportions will follow any such social innovation." Such objections are not worthy of serious men. The commonest, most dissolute reporter will compare favorably with the average policeman, and in comparison with some of "the finest" the reporter is a revelation of civilization. But the trusts of the Bureau of Criminal Investigation would be in the hands of gentlemen and the best reporters. Place one of these beside any police commissioner or chief of police in the land, and the newspaper man will "double discount" the other in every quality that makes a useful citizen and a man. The inaccuracy of newspapers to-day in regard to criminal matters is not the inaccuracy of the staff editors, but of inexperienced reporters denied official information, or furnished by the police with false news. And all other objections to my ideas will come from those who have something to cover up, who fear publicity, who are afraid to let the light of day fall upon the shadowy pages of their own story. It is, however, an axiom of our every-day life, an axiom that has been fashioned by the grinding of facts, that publicity never hindered the course of justice. Publicity is the only thing crime fears. Without question, publicity in uncompleted police cases will generally interfere with police operations *as now conducted!* But the fiercest light that beats upon a throne, if turned full upon any case of criminal procedure properly conducted, will not cast so much as a shadow upon the path of justice. I defy proof to the contrary. No one knows better than the journalist when to publish and when not to. Every day some case of rascality is disclosed that was discovered, worked up and exposed by the newspaper, from the very columns of which the police receive their first intimation of the "crookedness."

As opposed to these empty and any other objections are the great over-matching advantages that bureaus of criminal investigation would confer upon the community. They are many and appreciable. True and full testimony concisely given in court I have mentioned. Then

bribery, the garroter of justice, would be impossible. What a tremendous step forward this would be! If a criminal should succeed in silencing a single bureau he would have as much to fear as before. He could not silence all the bureaus, and, even supposing every bureau was purchasable, it would not be possible to do so before some one had printed the rascality. And no reporter would dare accept a bribe, for some one else would get the news. Bribery impossible, the chief gate to freedom would be inexorably closed to the criminal. Further, the police would be compelled to attend to their duties in self-defense. Politics could no longer interfere to save the reputation of a villain and cheat the prison of its due. Testimony would be freed from the handcuffs of dishonesty, and would approximate to what it ought to be. The false incarceration of criminals would be put a stop to, as every man's case would be impartially presented. No one would dare interfere, because he would read of it the next day. The cause of detection would be so materially advanced that punishment for crime would acquire a measure of certainty; and if punishment were a certainty crime would be lessened one-half. The country districts would be furnished with the best detective talent; not that routine intelligence that now goes there in the guise of a city officer, and who proceeds to work out a solution by the old-established rules, but that talent which brings energy, ability and common sense together to effect a result. The city victims of the criminal would more readily do their whole duty when victimized and more generously advance the cause of law and order, for they could trust where now they fear. The publication of criminal acts would be more accurate and less sensational, and the machinery to detect villainy now in existence would be trebled in efficiency, force and purpose. The newspaper would realize more nearly a part of its mission, and the community would attain a more healthy, progressive growth.

Incidentally, too, the bureau would rid us, in inducing primary legal reforms, of that terrible barnacle the coroner, a worthless, witless individual, whose sole function has come to be the raising of obstacles to justice. It is, indeed, a satire on our day and generation that in this nineteenth century it takes six able-bodied men to find out that "the deceased came to his death at the hands of some person to the jury unknown." For the last twenty years the American coroner has contented himself with ruining every case that has come into his pestilential hands. Said the Philadelphia *Times* the other day:

Dr. Cadwallader reported at the inquest yesterday that there was sufficient reason for the belief that the beheaded, dismembered body found in the Delaware, off Shackamaxon street, on Tuesday, was that of a woman about five feet five inches high and twenty-five years old. The verdict "found dead" disposed of the mystery.

Do we want mysteries disposed of in that way? Is this our duty to our fellow man? Is it creditable to us that we permit an annual waste of many hundreds of thousands of dollars merely that a coroner and six men shall tell us that some poor, murdered soul was "found dead"!

I will not argue further nor touch on more of the many mushroom iniquities that stand between the people and the blessing of honest, respected law. I have advanced an idea that in some office like that of the New York *Herald*, where there is both courage and money, may be molded into a force for the benefit of the people. Though I have presented the matter somewhat sketchily, it may perhaps be taken up, for it deserves serious consideration, and I trust, at no distant day, bureaus of criminal investigation will be matters of American history.

WILLIAM RALSTON BALCH.

NEED OUR WORKING-WOMEN DESPAIR?

INCIDENTAL to the present development of women's faculties is power of self-maintenance before marriage, by work such as insures helpful wifehood. The army of domestic servants is forever drilling in neat housework. The workman's chances of saving increase if his wife's skill in baking, cooking and dressmaking makes her wise in the use of material. The father's enjoyment of his children increases as their mother's kindergarten training leads her to make them helpful and cheery. She is a dull teacher who fails to catch in the school-room hints useful in the home training of her own boys and girls. Happiest of all are nurses and physicians in their power to secure health for husband and children. Marriage grows easier, too, as the working-woman's earnings supply her dowry. Still another way in which women's helpfulness facilitates marriage is by lessening danger of destitution in case of the husband's death or disability. How many women maintain invalid husbands, and who does not

know some woman trained to work, and able, therefore, to keep her orphan boys and girls in school? If, then, classes of women are now especially fitted for marriage, and if marriage becomes, in a measure, more attainable through women's work and women's wages, why do many women remain single? Is it not chiefly because of their excessive number? The "sixty thousand superfluous women of Massachusetts alone" have long been a byword. The man who remains unmarried throughout life is a marked exception; and, though every man married, there would yet be women who must maintain themselves.

Since these women must work, the student of the census notes with pleasure that, supporting themselves, they are uplifting others, much of their work being done in response to higher wants awakening in our civilization. Of these the educational want is chief. When "in New England women lived in their own houses and helped on the farmers' work," population was homogeneous, life was on a high plane, and schools merely supplemented good home life of children well born. Now all that is changed; millions of foreigners have accepted the nation's invitation, and are helping us govern ourselves. If we are to assimilate these rulers to the spirit of our life, every energy of man and woman must be utilized. Hence the vital need for our public schools, wherein women form character in future citizens; our public libraries, wherein women to a vast extent guide popular reading; our newspapers, wherein, through women's columns, women editors teach ignorant mothers how to clothe and feed children; how to keep house and go to market; hence, also, kindergartens with young girls employed in teaching our language to our municipal swarms of French, German, Spanish, Italian and Scandinavian children, in order that, entering the public schools, these children may have equal chances with the native child.

Nor do we rest content with education; we have organized philanthropies that the world dreamed not of when women "helped on the farmers' work."¹ These philanthropies call for women as paid secretaries, city missionaries, home nurses among the poor, teachers of industrial and housework and cooking schools, and superintendents of ward organizations in the new system of associated charity. Institutions for children, too, from Girard College to the day nursery, call for women. Hospitals we have founded where women and children

¹ Charles Wyllys Elliott, in *North American Review* for August, 1882, on "Women's Work and Women's Wages," page 150.

may find care and health, and we have summoned women to enter as nurses and physicians.

When "women helped on the farmers' work" criminals were punished to feed the vengeful wrath of society; but we try to reclaim the offender, instead. Therefore we sustain for women reformatory prisons, with women for physicians, chaplains, superintendents and custodians, in order that the convicted may gain womanly qualities by contact with strong and tender womanhood.

When "women helped on the farmers' work" the defective classes were thought visitations of God's wrath to be endured. Now they are helped to help themselves, and we beg women to leave the farmers' work and teach the blind the beauty of God's world and their own power in it. Women are teaching mutes the art of speech. At Media, Pennsylvania, idiots are taught by women with skill incredible. At Norristown, Pennsylvania, Dr. Alice Bennett uses moral force alone in her care of the insane women of the State, and by industrial training helps them to help themselves.

Not alone in the efforts to assimilate the foreigner to the spirit of our life, and to give value to the life of the afflicted, have we urged women to leave "the farmers' work" and undertake that which men cannot do. We, ourselves, have developed new qualities. When "women lived in their own houses and helped on the farmers' work," a few men made watches and a few others made watchmakers' tools. Life is worth more now. We divide it into little pieces and treasure each, and measure all exactly. So punctuality has grown up, almost a new virtue, and everyone must have a watch. Women make them best, yet no fewer men are employed, and they who make watchmakers' tools are skilled machinists. That is a case in which the work of women, in direct competition with men, makes more work,¹ for the added value of women's time makes working-women buy watches.

Another new quality is our care for beauty. When "in New England women lived in their own houses" (that were in no sense their own, but belonged to the husband and his heirs) those houses were ugly; life was meagre; the artistic sense was smothered—starved; pictures were not; books were few; ugly tableware from China was a family treasure. Now we are hungry for beautiful possessions, and we beg women to leave the farmers' work and make tableware graceful in form and rich in color. Nor are we few, and we bid them make

¹ She makes no more work and only divides existing work with man.—*North American Review*, August, 1882, p. 148.

illustrations for our wealth of books, designs for carpets, wall-papers, cabinetware, cottages. Through their engravings, art comes into frugal homes. Kate Greenaway has made healthful and pretty the children's dress of a nation. The poorest child's holiday may be bright with dainty Christmas cards.

Are the women who do all these things not ladies? Is it true that "No lady works, or wishes to work, or expects to work?"¹ These are women's occupations *par excellence*. Nor are they crowded. Skill in every one of them is a crying need, and schools and bureaus fill in part only the demand for able women. Other fields are opening, too, as men abandon them. For instance, men have built up the post-office and vast retail of commodities; but, following more lucrative work created by steam and electricity in railroads and shipping, they have relinquished much of their former lighter work. This falls to women, and gives honorable support to thousands.

Nor have women failed to create work for themselves. Besides journals peculiar to the interests of women, a literature of home-making is newly made, which covers cooking, window-gardening and general decoration, nursing and child culture. This is brain work which the improved education of women brings forth; and it is work which men cannot do. The realm of child literature also has sprung into being since women began to write, and "Crusoe," "Bunyan," "Plutarch" and the "Arabian Nights" ceased to be the sole mental food of boys and girls. A woman edits *St. Nicholas*; and women are free contributors to *Wide Awake*, *Harper's Young People* and the host of pure and witty magazines with which we try to expel by substitution the literature of obscenity and violence that threatens the childhood of the country. Is it true that "woman can bring no added work into brain occupations?"² She has thus done that very thing.

The field of the teacher is crowded, it is true, but that is because we do not yet know what education is. According to Christianity personal influence is the great teacher, placing the undeveloped mind and heart and soul in helpful contact with something of God's spirit incarnate in a noble human being; and Browning's poems and the experience of all who try to mend the "dangerous classes" do but repeat the lesson. But we have not learned it yet, and we intrust to ill-trained, ill-paid teachers forty and even ninety little children. When we grasp the meaning of the kindergarten and the Quincy experi-

¹ *North American Review*, August, 1882, p. 146.

² *North American Review* for August, 1882, p. 152.

ment, and know that the youngest minds need most individual care, there will be work for all teachers; such, too, as will fit them for motherhood. One branch of teaching needs women to-day, viz. : fitting girls for college. In certain cities girls read "Homer," "Virgil," "Euclid," with male tutors, because the "room at the top" is not yet reached by women. That is another case in which women do "bring added work into brain occupations."

In the field of sociology there is brain work waiting for women which men cannot do. While the science of man was a science of wealth, rest and self-interest there was slight inducement for women to touch it. The new social science has humane interest, and can never be complete without help from women. It is the science of human relations. These must be studied as they exist, with patient care; but exact tabulation of facts is the beginning only; afterward comes the work of interpretation. That can be complete only when accomplished by the whole human consciousness, *i. e.*, by that two-fold nature, masculine and feminine, which expresses itself as a whole in human relations. Any attempt made by a part of the race to explain phenomena produced by complimentary beings must be inadequate.

In view of the work, industrial, moral and intellectual, which awaits women, the problem that confronts her is not, How can she "again become valuable?"¹ Rather it is, How shall she sustain the value which the age places upon her? How respond to its just and increasing demand? The answer is two-fold.

Healthy, vigorous women must be for work or wifhood (hardest work of all), and how secure health? The health of working-women is a far-reaching thing, for the class is not constant. Women support themselves to-day, and to-morrow marry. On the other hand, fortunes dwindle and idle girls are forced to work. Therefore health for workers as a class must be obtained by conditions which would secure health for all women. What these are we seem not yet to have learned, for it is not proved that the average of health is higher among married women who have never earned a dollar than among working-women. Among the poorest women, workers in city charities find it lower. So long as women inherit physiques hurt by alcohol, tobacco and deadlier taints of baser vices, the health problem can never be thoroughly solved. At best partial health must be endured. Apart,

¹ How to secure for woman, or to restore her to, her normal position and value, is one of the foremost questions of the time, and second to none. *What can she herself do to become again valuable?*—*North American Review*, August, 1882, p. 147.

however, from that one vast factor, wholesome inheritance, the problem rests for solution chiefly with women, and it is studied with vigor. Every woman physician is a center of active study. A new class of books has come into existence, ranging from Dio Lewis' popular dissertations to Dr. Wilder's technical ones; and on many a mother's private bookshelf stands Dr. Blackwell's "Counsel to Parents" side by side with "Hints on Nursing." The Study-at-Home Society sends to its thousand members a pamphlet discussing health and brain work and urging obedience to reasonable rules of life. Last summer thousands of copies of a pamphlet giving clear directions for care of the family during the heated term were placed in the hands of ignorant mothers by medical societies and the municipal authorities of the Atlantic cities. In the winter cheap evening classes were formed for working-women in Philadelphia, their especial home. After a fortnight attendance was crowded. After lectures on physiology and hygiene, mill hands, domestic servants, dressmakers and shop girls studied eagerly specimens of healthful clothing. These were a revelation. One mill hand had "supposed the Lord made hips to hang skirts on." Pupils borrowed books on health, and even on physiology. Their ignorance was dense, and their hunger to learn inspiring. All that simply indicates the growing study of health among women. It proves, however, that "going to college" does "help us,"¹ for it is enlightened women who must do this work of instruction. Further proof is the fact that the Alumnae Association (now for the first time possible since women have existed) finds its first work in investigating the health of women and the means of improving it.

Already this widespread study begins to tell; witness the disuse of corsets and high heels among families employing women physicians. Strict hygiene, supplemented by the wisdom of such physicians, does much for the girls who will be women in ten years. Simple school life, with more work, more play and less excitement, will do more for their successors. There is, however, slight hope for general health among women until care for the growing girl's physique becomes far more widespread. Women of twenty look, as one meets them on the street, exhausted before their life work has begun. School life has not always embodied hygiene nor taught them physiology. Happily we are coming to see that school life like home life is most wisely

¹ Who can wonder that the vigorous advocates of "Woman's Rights," so-called, are alive and earnest; that they are seeking, blindly perhaps, for light; are grasping, wildly perhaps, for work? Why should they not cry aloud, "Let us vote, if that will help us!" "Let us go to college, if that will help us!"—*North American Review*, August, 1882, p. 147.

adjusted when it rests on the collective wisdom of fathers who know from study, and mothers who know from experience, the needs of growing girls. When cultivated married women give their rich leisure and experience to the schools, much will be done to insure health for the following generation of working-women. Meanwhile, until we provide pure inheritance and girlhood fitted to send women into technical training with firm nerves and well-developed organs, let us beware how we believe, too hastily, that "it is almost certain that it is impossible" ¹ for working-women to be well.

The change from helping on the farmer's work has come so suddenly, that women have not yet learned what changes in habits must accompany it. They are learning, however, to use precautions as they grow wonted to their new occupations. Among the first of these are clothing suspended from the shoulders and light evening exercise. From educative recreations the working-woman has been shut out. The man who works by day has two evening occupations open to him; he can go to a library and forget the noise of his machine in reading or a quiet game, or he can enjoy the dignity of responsibility in discussing the coming election. These alternatives our civilization insures him. The working-woman is not tempted to rise from her day's drudgery to weigh the value of public measures, for her opinion is valueless; nor is the public reading-room usually open to her. Debarred the sole intellectual recreations which the American working-man can call his own, what wonder if the work-woman wastes her time in gossip, poor novels and the fabrication of too elaborate dress? She does not like these evening occupations. That is proved by her prompt response to attempts to provide wholesome amusement. May not the dullness of her life explain in part the mill-hand's alleged ill health? Until we have made more experiments in providing restful evening occupations, let us not implicitly believe that "it is almost certain that it is impossible" for working-women to be well.

After the waste of health in girlhood the gravest evil under which working-women suffer is our industrial scorn of life's worth. Work not deadly in itself we make so by excess or mean economy. We injure women little more than men. The fluff of cotton mills is bad for human lungs, not women's lungs alone; compositors cannot work

¹ It is a question, and a serious one, whether in such occupations it is possible for women to keep well. It is almost certain that it is impossible.—*North American Review for August, 1882, p. 154.*

without stimulants; car conductors by thousands die of consumption; Bright's disease and heart troubles besiege the business men of the generation; and who will count the trips to Europe snatched in the hope of hardening softened brains? In handwork the strain grows less. There are statesmen, to-day, who as craftsmen's apprentices worked from 6 A. M. to 8 or 9 P. M. Mill hours, too, are shorter, but the strain is still too great. We have not applied the moral that dignifies the novels of Charles Reade. Here, too, it is all experimental. Women are still feeling their way into a new field. The inexperience which explains defective personal hygiene explains defective legal provision. England's older civilization brought the need earlier, and since 1802 Parliament has been steadily framing laws in careful protection of women and girls in mills. Is not such need urgent here if the evil of overwork is growing among women and children in our mills?¹ The workman's prime necessity, protection to native industry, he has secured by his ballot. Having hammered his especial wedge into the national policy by congressional elections, and clinched it there by a presidential contest, he now turns his attention to local measures in care of the laborer. Short hours, fair wages and more healthful conditions of work, he strives to gain by his power of shaping legislatures. From such self-help the working-woman is decisively shut off. She has absolutely no representation. If she had the fractional ballot which popular fallacy attributes to the married woman whose husband supposedly votes for her in voting for himself, lo! she would no longer be the working-woman of this discussion. Are American women blameless in shirking the responsibility of the ballot which alone can insure thorough legislative protection of working-women? That is a question worth answering before we rest content with the sad assurance that "it is almost certain that it is impossible" for working-women to "keep well."

Second only to health is skill in meeting the demand for women's work. Here, too, the very newness of the work explains the partial inadequacy. Having for untold generations "helped on the farmers' work" for which they became fitted almost unconsciously, the marvel is that women are so keenly alive to the value of technical education. What means have they had of obtaining it? Fifty years cover the

¹ In our cotton mills especially the women and children largely exceed the men, being often from two-thirds to five-sixths of the whole, and the proportion is largely increasing.—*North American Review*, p. 150.

period in which normal and medical schools have been theirs. Legal and dental schools, colleges¹ and "business colleges" are things of yesterday; so are cooking and embroidery schools, and schools for training kindergartners. Moreover, these are chiefly for professional work. For the industries women have come into the field in the trying time between the decay of apprenticeship and the growth of technical training. Handicrafts have been correspondingly difficult for them. Slowly that is mending. The Women's Industrial and Educational Union in Boston, Cooper Union in New York, the School of Design and the Working-women's Evening Classes in Philadelphia, have sprung up to meet the need, but the whole is insufficient. Hence it is that "every senator and every member of Congress shudders at sight of female loveliness eager for place."² Our bad system of selecting government employes fosters the belief that incompetence, forced to the wall in every other work, is still cherished at Washington. Not alone in Washington, however, do women apply for work free from the test of skill. These are the women "willing to work or forced to work who can find no work which they can do." They are not skillful, and the unskilled-labor market is over-crowded. Fortunately this is not one of the problems which women face alone. The mass of incompetence is such that we are forced to cure it. Workers among the poor in every city make the same report. "While persons suffer for want of work, there is work to be done; but the need of the hour is skill. Men and women alike perish because they are not equipped for work. Everywhere pauperism analyzed means drunkenness, bad health or want of skill." Hence the energy now expended in building up technical education. This includes girls, and the aggregate of women's futility must in consequence grow yearly less. The remedy lies not in "placing a wet rag upon the mouth of the new-born female child."³ Rather it is in the helpfulness of the able, both men and women; in the creation of new industries and the adjustment of education.

A cruel discouragement that crushes many women is the custom of paying different persons differently for identical work. Mr. Edward

¹ Even now President Eliot, of Harvard, writes: "We have successfully resisted the admission of women." The trustees of Columbia are still debating the practicability of admitting women. The trustees of the University of Pennsylvania decided in November that women must buy admission to that ancient and conservative institution at a cost of \$300,000.

² *North American Review* for August, 1882, p. 146.

³ *North American Review* for August, 1882, p. 147.

Young, Ph. D., the authority on labor in Europe and America, has discussed elaborately the fallacious supposition that work is paid strictly according to its worth. Flagrant cases of unequal pay for equal work occur in our public schools, where custom sanctions high pay for men and low pay for women, who do the same work quite as well. Another example of deviation in pay from the standard supposedly fixed by worth is found in the wages of Irish and Chinese laborers, who dig the earth side by side on California railroad lines. A yet more familiar one is that of the Irish washwomen and Chinese washmen in our own Eastern cities. This form of injustice the nation repudiated in gross in the Civil War. Dire experience taught us that slave and workman could not live together, and we freed the slave. Now we learn that half-paid labor cannot be endured. Therefore, the Knights of Labor "aim to secure for both sexes equal pay for equal work."¹ One workman's wages are not "halved"² by one woman's work. The harm is greater than that. His wages are "halved" by two women, of whom each does a man's full work, the employer getting three men's work for two men's pay. This injustice it is which lowers women's wages, and "injures her as well as the man who might be her husband."³ This injustice, too, it is which makes woman seem, when judged by the standard of wages, "least valuable of created beings."⁴ One cause of this is the unorganized state of women's labor—a result of inexperience.

In the field of work hitherto peculiarly their own the impositions upon women have been so flagrant that associations of ladies have been formed for the express purpose of securing the legal protection of working-women. In Philadelphia, New York and Boston these organizations, by merely existing, have in a measure checked oppression, and prosecutions and convictions by them have destroyed a class of sewing-machine agents and sewing-contract men who lived by preying upon this worst-paid work. Infinite competition and the simplicity of their work have been the banes of sewing-women; but their lot improves as skill in other work draws women from theirs. The song of the shirt loses something of its tragedy when women begin to guard the sewing-girl's wages, provide safe boarding-houses for her, and wholesome evening recreations and summer country weeks. In this solitary respect the working-woman is better off than

¹ "Organization of Labor."—*E. V. Powderley, North American Review, August, 1882.*

² *North American Review, August, 1882, p. 152.*

³ *North American Review for August, 1882, p. 150.*

⁴ *North American Review for August, 1882, p. 146.*

her brother worker, for American manhood forms no leisure class, while thousands of mothers find their leisure almost burdensome when the last son goes to college, and turn with zest to philanthropic work.

In the helpfulness of women to women lies support for the virtue of young girls forced out of the house. A pupil in the Philadelphia evening classes was required to write a letter as part of her class-work. In it she said, "Many a lonely girl will thank you for the happy evenings of this winter." Another walked alone to the cooking-class. The teacher's homeward way led by the girl's door, and they walked together. The last time they parted the girl said, "I did not know until this winter that ladies cared for working-girls! It's good of you to walk in the street with me." Is there no hint in that? Vice is old, but such humane companionship is new, and it is growing. The college-bred women, who begin life by hundreds every year, are chiefly working-women, with quick sympathies. They, too, are a new factor. They feel two things deeply—one is Christ's injunction: "Freely ye have received, freely give" (helpfulness, not money); Chaucer said the other, of his Poor Parson, "he wolde gladly lerne and gladly teche." There is cheer in that for working-women. Until time is granted to see what may come of the new spirit that leads happy women to say, more than ever before, "We that are strong, let us bear the infirmities of the weak," surely our working-women need not despair.

FLORENCE KELLEY.

A NATIONAL UNIVERSITY.

THE project of a National University is not new. Its establishment has been recommended by several of the Presidents of the United States, and urged by able statesmen. It lay, in common with the whole cause of public education, near the heart of Washington. In letters addressed to Adams and to Hamilton the first President argued for its foundation. In his eighth annual message he proposed to the consideration of Congress the expediency of establishing a National University and a Military Academy. So important did he regard the subject that in his last will he treats it at considerable length. "It has always been a source of serious regret with me," he writes, "to see the youth of these United States sent to foreign coun-

tries for the purpose of education, often before their minds were formed, or they had imbibed any adequate ideas of the happiness of their own; contracting too frequently not only habits of dissipation and extravagance, but principles unfriendly to republican government, and to the true and genuine liberties of mankind." For the removal of these evils, and for spreading "systematic ideas through all parts of this rising empire," and for doing away with "local attachments and State prejudices," he sees no plan more feasible than the "establishment of a university in a central part of the United States." And in behalf of its establishment Washington went so far as to bequeath fifty shares of the stock of the Potomac Company. The Government, however, failed to foster the project, and it was not, therefore, realized.

Jefferson also (the founder of the University of Virginia) recommended to Congress, in his sixth annual message, the establishment of a National University. Its endowment might be made, he pointed out, by donations of the public lands, or by funds taken from the National Treasury, but not, in the latter case, however, without an amendment to the Constitution. He argues that "a public institution can alone supply those sciences which, though rarely called for, are yet necessary to complete the circle, all the parts of which contribute to the improvement of the country and some of them to its preservation."

Madison and John Quincy Adams likewise strongly urge the foundation of the university. The advantages of the scheme Madison enumerates at considerable length: "By enlightening the opinions, by expanding the patriotism, and by assimilating the principles, the sentiments, and the manners of those who resort to this temple of science, sectional sources of jealousy and prejudice would be diminished, the features of national character would be multiplied, and greater extent given to national harmony." Advantages, it must be confessed, which are rather vague, and which Congress, under neither Madison nor Adams, attempted to realize.

Not only, however, have these and other Presidents presented the claims of an American University, but many educators and associations of educators have also urged its foundation. A committee of the National Teachers' Association presented in 1870 a report that was both an argument and an appeal for the establishment of a National University. From time to time, both in political and in educational documents, it is asserted that the great need of American education

is a university, situated in a central part of the country, and supported by the Government.

Opposition to the foundation of such an institution is not, in my opinion, to be based upon a want of constitutional authority. That the Constitution confers upon Congress the right to provide for education is at the present time the opinion of the large majority of statesmen and jurists. If education is not embraced in the "general welfare of the United States"¹ it is difficult to know what that term does include. From other sources than the Constitution, however, objections to the scheme may be drawn which deserve serious attention.

The general argument by which the proposition for the establishment of a National University has been supported for the space of nearly a hundred years, and by statesmen of the most diverse degrees of culture, may be embraced in the remark that it is the duty of the American Government to provide for the education of its citizens. It is thought to be opposed to the spirit of republican institutions to refuse any educational advantage, however great be its cost or limited its application. As it is confessedly the duty of the Government to provide for the training of its citizens in the elementary branches of knowledge, it is inferred that it is likewise its duty to train them in those higher branches which constitute what is commonly termed a liberal education.

The fallacy in this argument is easy of detection. It is undoubtedly the duty of the Government to provide for elementary education. Its existence is to a great degree conditioned by the intelligence with which its citizens administer its concerns. The United States is founded on a book—that book is a text-book, and that text-book is a common-school text-book. But does the permanency of the Government hinge upon either the college, the university or the professional school? Has its existence been imperilled by the lack of a National University? Would its continuance be made more assured by the foundation of such an establishment?

But, it may be urged, though the mere existence of the Government is not dependent upon the educational institutions of advanced standing, as it is dependent upon the common school, yet its prosperity would be enhanced by the equipment of a National University. Were there no other institution of as high a grade, the foundation of a National University would, without doubt, prove to be of untold worth. But already those interests which would be fostered by a National

¹ Constitution, article I., section 8.

University are abundantly conserved by scores of universities and colleges. It is notorious that the United States has more colleges than the needs of the higher education warrant; and it is equally true that several of them provide as thorough and as extended a training as a national institution could offer. The education which many of these colleges afford is, further, as free as the United States could hope to give. Harvard University distributes about \$40,000 a year among needy students. It turns no worthy student away for a lack of funds. Many other colleges possess endowments for the single purpose of giving an education to those who are unable to pay for it. In no less than seventeen States the State university is open to every resident. A National University could hardly hope to make education either more free or more valuable than it now is.

Perhaps the strongest objection to the proposed scheme is found in the necessarily temporary character of its methods and management. It could not be assured of permanency; and of permanency all educational institutions especially need to be assured. A National University would be either directly or indirectly under the control of Congress. If it was endowed at its foundation by the gift of several millions of dollars it would, to a large degree, be freed from the interference of the Government in respect to the important element of income. But if not so endowed it would be compelled to be an annual suppliant for an appropriation to discharge its annual expenses. Its professors, too, could not but feel that the tenure of their offices was not secure. Under the control of a legislative body, not one-half of whose members are liberally educated, the holders of professorships would be convinced that eminent success neither in original researches nor in instruction would prevent the demand for their resignation. That department in which the interests of the Government in education is at present most manifest, the Bureau of Education, has suffered disastrous changes, the like of which a National University would hardly be able to escape. Established as an independent department, it was afterward reduced to a branch of the Interior Department. The salary of the Commissioner, fixed at \$4,000, was soon cut down to \$3,000. The compensation of his assistants suffered a corresponding reduction. A government which permits so important a department to be impeded year after year for a lack of means—a government which allows its national library to be of little use in consequence of the mere accumulation of its riches—could hardly be asked to provide fully and punctually for the needs of a National University.

There is, further, reason to fear that the foundation of a National University would, instead of increasing, as is claimed, diminish public interest in the higher education. In the older States, at least, this cause is committed directly to the people. They have, therefore, felt, and continue to feel, an interest in it, from which have sprung Yale, Harvard and other colleges of a high standing. It is to this public regard that we owe the munificent foundations of Johns Hopkins, of George Peabody, of John C. Green, and of Ezra Cornell. But once let the Government assume in part the charge of university education and the regard of the people for it will diminish. The rich will not make gifts or devise bequests to an institution which the Government is obliged to support.

Many objections to this movement are to be discovered in the nature and functions of government. To one or two I advert.

The establishment and organization of a National University would increase the powers of the Government. That this is the fact is clear. That this increase of powers is an evil is clear to one who observes the present tendencies of our Government. These tendencies are all in the line of the augmentation of the rights and duties of the Government. This augmentation is not only a result of a high degree of civilization, but it is also an effect of the continued existence of democratic institutions. The danger of our nation is not in being governed too little, but in being governed too much. Any movement, therefore, which would result in an increase in the power of the Government should be viewed with concern. As Mr. Mill has finely said: "There never was more necessity for surrounding individual independence of thought, speech and conduct with the most powerful defences, in order to maintain that originality of mind and individuality of character which are the only source of any real progress and of most of the qualities which make the human race much superior to any herd of animals. Hence, it is no less important, in a democratic than in any other government, that all tendency on the part of public authorities to stretch their interference, and assume a power of any sort which can easily be dispensed with, should be regarded with unremitting jealousy."¹ If it cannot be affirmed that the establishment of a National University is such an "interference," it is at least certain that its organization would constantly invite "public authorities to stretch their interference," and would render such interference probable.

¹ Political Economy. Book V., chap. xi., § 4.

With an increase of the power of government, the establishment of a National University would necessitate also an increase of the responsibilities and duties of government. If Congress could completely surrender the superintendency of the university to a board, the evil of the additional burden would not be worth considering. But any surrender could not be complete. Congress would be constantly asked to examine questions relating to either its finances or instruction. With all the topics which our legislative body is at present obliged to consider, there is no doubt but that the question of the establishment and organization of a National University would not receive that attention which its grave importance demands. The principle of the division of labor is not applied by the legislative houses of either the State or the nation with that exactness which results in the performance of the largest amount of the most valuable work. Until those who are specially interested in the higher education can be assured that the Government is both willing and prepared to assume the responsibility of the care of a great National University, they must hesitate to lay an additional duty upon Congress, which is already overburdened.

In respect to the intervention of the Government in affairs which the people themselves can perform, the rule of *laissez-faire* should be followed. The people know better than the Government what they want, and also know better how to supply their wants. As the keen observer from whom I have already quoted says: "The inferiority of government in any of the common operations of industry or commerce is proved by the fact that it is hardly ever able to maintain itself in equal competition with individual agency, where the individuals possess the requisite degree of industrial enterprise, and can command the necessary assemblage of means. All the facilities which a government enjoys of access of information; all the means which it possesses of remunerating, and therefore of commanding, the best available talent in the market, are not an equivalent for the one great disadvantage of an inferior interest in the result."¹ The lack of interest on the part of the Government in education is even more marked. The history of the relation of the American Government to schools and colleges does not warrant the assumption that it would show that zeal for the prosperity of a National University which the alumni of scores of colleges are displaying for their respective alma maters. In the higher education our Government, as at present

¹ Ibid., 565-6.

constituted, cannot feel a deep and permanent interest. It should be intrusted, as it is now intrusted, to the people.

The best universities in the world, the German, possess only a slight connection with the Government. Deficits in their annual accounts are met by appropriations from the State Treasury. But the relation, in other respects than the pecuniary, has at times been of injury to the universities. The Government has not infrequently attempted to coerce them. The Prussian Government has often stood in direct conflict with the University of Berlin. The university, however, has always won in the contest. But this, the largest, as well as each of the twenty universities, has gained its power and influence rather without than with the help of the Government. Governmental interference, whether successful or not successful, cannot but result in confusing the regular work of a university. It remains only to add that the relation of the Government of Germany to its universities furnishes, therefore, no argument for the establishment of a National University in the United States.

CHARLES F. THWING

DECLINE OF AMERICAN SHIPPING.

REASONS AND REMEDY.

ON appearing to give testimony before the Tariff Commission, I was asked this question by the Commission: It is often urged, and indeed several speakers in the House of Commons last spring urged in the debate of the Ritchie resolution for a Tariff Commission to investigate the effect of the tariff legislation of other countries upon Great Britain, that the decline of American shipping was almost wholly due to the American theory of protection. Will you kindly explain the several reasons for this decline?

The following is an answer to the question, and to other questions in regard to our shipping interest, that I deem worthy the attention of every thoughtful citizen concerned for the future development and prosperity of this country. I propose to show: 1. That the American theory of protection had nothing whatever to do with the decline of American shipping; and that but for that protection we should have been worse off still, and have had no iron ships to-day at all; for without protection we should have had no rolling-mills nor engine-

works nor foundries in the country, nor any iron interest of our own.

2. That the decline was due, first, to the failure of the United States to meet Great Britain in her policy to aid and upbuild her shipping interest and drive us off the sea; and, second, to the absence, in the case of the American ships engaged in the foreign trade, of that protection which our earlier statesmen gave in order to enable us to meet our foreign rival.

To show this we must search the record of our history as a ship-building and ship-owning nation. And in doing this we shall be forced to recognize the fact that from the very beginning of our colonial existence even we have had to compete with a nation whose ambition for two hundred years and more has been to be mistress of the sea; that has jealously watched every step of our maritime progress with an interest far keener than that displayed by our own people; and that has sought by war and diplomacy to prevent us from successfully rivaling her on the ocean. This subject cannot be intelligently considered without taking into account England's shipping interest and policy.

But before entering upon this part of the subject, I want to say that *if our present Tariff laws had never been enacted the present condition of our merchant marine would have been brought about just the same, only worse. The Tariff laws had nothing whatever, directly or indirectly, to do with bringing about the present unnatural condition.* Yet more than this: It is often stated that our Civil War was the whole cause of the disappearance of our merchantmen from the sea. It is true that the Civil War was an important factor, but it was not the sole cause; for our merchant marine began to disappear before the present Tariff laws were enacted, and before the Civil War began. The real causes for the decline will be found as far back as 1840; they lie in diplomacy, not in war; and I assert that if neither our Tariff laws nor our Civil War had ever been known, our merchant marine would just as certainly have been driven from the ocean by the peaceful policy inaugurated by our powerful rival, Great Britain, unless we met her by a similar policy in our own defense, for where she applied this policy to other nations they suffered as well as we. What the Civil War did was to greatly aid Great Britain to carry out her policy, and accomplish her object at much less expense than if the war had not taken place. She, of course, took advantage of our trouble among ourselves, and used it fully for her own benefit. This will be considered more in detail in its proper place.

Let us now look briefly at the aggressions of England on our commerce in our earlier years and the legislation that grew out therefrom, and see how persistently she pursued that aggressive policy till she had achieved the end she sought.

ENGLISH AGGRESSION.

This history abounds with evidence of the persecution of American shipping by British rulers even after the Revolution, by commercial devices after force of arms had failed. Our ships in colonial ports were discriminated against and subjected to maladministration in penalties by colonial governors, as well as to interference of Parliament and direct and prejudicial edict from the throne. Thus Lord Sheffield headed a violent opposition to a reciprocal shipping policy between the two nations, and succeeded in having the order issued in 1784 that "American vessels should be entirely excluded from the British West Indies," and that American products should be absolutely prohibited "from entering colonial ports, even in British bottoms."

This condition of our inequality brought forth a vigorous letter of protest from Mr. Adams, then American Minister to England. After several ineffectual attempts to secure reciprocal relations in shipping interests, after offering every concession, almost to humiliation, at last, despairing of equity or honor, he wrote to the American Secretary of State (under date London, October 21, 1785) as follows:

This being the state of things, you may depend upon it the commerce of the United States will have no relief at present, nor, in my opinion, ever, until we shall have passed navigation acts. If such measure is not adopted we shall be derided, and the more we suffer the more will our calamities be laughed at. * * * My earnest exhortations to the State then are, and ought to be, to lose no time in passing such act.

But before we reach the passage of our navigation laws it should be said that from the close of the Revolution, when our colonies were merely a loose union of confederated States, England regarded us as hostile in our shipping interest, and applied her famous Navigation Act to us with all its force. She would not permit us even to carry our products to her in our own ships, except at the discretion of the king. A yearly proclamation was issued giving the right to bring our products to England; but we could not take a cargo from any foreign port to England, and what rights we did have were liable to be withdrawn at any time. England refused for many years to make a treaty of commerce with us. Our ships on reaching England were taxed two shillings per ton duty, and had to pay "light money" besides to

support English light-houses. We were entirely excluded, as has been seen, from the British West Indies, whither more than one-fourth of our shipping had formerly traded. Before our Constitution was adopted our shipping was embarrassed in every way.

AMERICAN LEGISLATION.

In 1789 the first American Congress met. It is a significant fact that its third law was one imposing a tonnage tax of fifty cents a ton on foreign vessels, which just offset the duty per ton on our ships in England. Thus began our *retaliative legislation*, made necessary by England's injustice to American shipping.

By this same Congress a Navigation Act as stringent as that of England was passed, in accordance with Mr. Adams' advice. It was in accordance also with the sound principle laid down by Thomas Jefferson, that "if a nation persists in a system of prohibitions, duties, and regulations, it behooves this Government to adopt counter prohibitions, duties, and regulations." The Navigation Act reserved the coasting trade to our own people, and restricted importations to ships American built, manned, and owned. Thus we met England's policy of aggression by a like policy at the outset of our national life.

In 1793 England tried a new measure. She ordered us not to carry to France the products of French colonies, and in one year seized 600 of our ships for so doing. We embargoed her ships for thirty days, and again sought to obtain a treaty of commerce and navigation. One was concluded November 19, 1794, ratified October 28, 1795, and proclaimed February 29, 1796. That was what we won by meeting England's policy squarely in 1793. But note that it was thirteen years after Independence before our trade with England rested on any better basis than yearly orders of the king.

The object of this treaty was reciprocity with respect to tonnage taxes. But England still imposed the "light-money" tax on our ships, prohibited the importation of our salt fish, salt meats, and other important products into her borders, and still refused to let us trade to her colonies. The "light-money" tax was heavy, considering how small vessels then were, the average ship of good size being only 200 tons. In St. George's Channel the light tax was five pence per ton, in the English Channel one shilling two pence, the northern lights four and one-fourth pence per ton. English ships had to pay the tax only once, but American ships three times, or treble what the English

ships paid. Our Minister to England begged vainly for the repeal of this inequality.

At last, in March, 1804, the American Congress increased the tonnage duties on foreign ships from fifty cents to one dollar, or enough to offset the English "light-money." Thus again we met her policy with one of self-defense.

Under these protective measures our ships multiplied greatly—not less than fivefold from 1803 to 1806. We gained rapidly in the China and East India trade, and England became thoroughly aroused with jealousy, her ship-owners urging the Government to protect them.

TWO OUTRAGEOUS MEASURES, AND HOW WE MET THEM.

In the summer of 1805 England suddenly revived an obsolete law as a restrictive measure. The English Lords of Trade contrived that measure. It was that the vessels of neutral nations should not trade to the colonies of France and Spain, England then being at war with those nations. This cut us off instantly from a great West Indian, South American, and East Indian trade, making our ships engaged in it liable to seizure and confiscation. This law was an outrage on international rights, and it at once drove home to our own ports a vast quantity of American shipping that had heretofore been engaged abroad in general trading between foreign countries.

Then England aggravated this, adding insult to injury, by beginning to stop and search American ships for alleged deserters. "Once an English subject always a subject" was her claim, and she asserted it even to impressing every Englishman found on an American ship, besides claiming the right to confiscate any ship on which her subjects might be found, in fact or pretense. This was a claim as ruinous to American ship-owners as it was outrageous and in violation of every principle of equity and national right. It was put forth with barefaced purpose to check and destroy our rapidly growing carrying trade. Under it above 1,600 American ships and 6,000 seamen were seized, and it led finally to the war of 1812.

On April 18, 1806, a Non-importation Act was passed in Congress by great majorities to meet this wrong. In June, 1807, the British man-of-war *Leopard* approached the American frigate *Chesapeake* on our coast, and proposed to search her for British seamen. This was indignantly refused, whereupon the *Leopard* fired upon and compelled a surrender of the *Chesapeake*. England disavowed the outrage and promised reparation, but never made any. President Jefferson at once

issued a proclamation closing American ports to British ships of war. No reparation being yet offered, Congress on December 21, 1807, passed the celebrated Embargo Act, by which American vessels were detained at home and commercial intercourse with England was prohibited. This embargo lasted fourteen months. Thus again we met England's aggression with retaliative legislation.

THE WAR OF 1812.

But the miserable warfare upon our shipping continued until it became unendurable. April 8, 1812, Congress passed an embargo on all British vessels within our jurisdiction. June 19 following, the President *declared war*. He was forced to do it by England's undisguised attacks on our shipping. July 1, an extraordinary tonnage tax of \$2.50 per ton was imposed on all foreign vessels until the war should end. It is not needful to go into the details of that war; that was simply a war made by England on American shipping. It was through our shipping that we won the day, and established forever the rights of American citizens on the high seas; disposing forever, as well, of England's false claim of perpetual citizenship. Thus we met war with war.

THE VICTORIES OF PEACE.

July 3, 1815, a Reciprocity Treaty was concluded with England that at last placed ships and imports on an equal footing—that is, the ships of each were to be taxed no higher than those of the most favored nation, and equality in tonnage, taxes, etc., between England and America was secured; but the West Indies were still left out of the treaty, which was to last four years. October 20, 1818, it was continued for ten years, and August 6, 1827, it was continued indefinitely.

But the British Navigation Act still remained in force, and at the close of the war we reenacted our old Navigation Act, forbidding any vessel to trade to this country except from its own ports, in all cases where a similar regulation was enforced against us. This was simply to secure fair play, compelling all the European nations to make fair and friendly treaties with us, and to put our ships on equal footing with their own. Thus did our earlier statesmen in every case promptly meet aggression with retaliation, and make it known that the American ship must be accorded freedom and equal rights on the sea.

THE WEST INDIA AND CANADIAN TRADE.

After the peace of 1815 our commerce did not reap all the advantages expected, by reason of England's policy regarding the West India and Canadian trade. We wanted to revive the old profitable trade in our grain and provisions, but our ships were obstructed by duties and regulations, which our representatives in London, Mr. Adams, Richard Rush, and others, tried vainly for years to have abolished. The British were resolved not to let us into that trade, and legislated by discriminating duties to shut us out and give employment to their own ships.

Thus produce imported to England from Halifax, St. John's or the West Indies could come in cheaper in British vessels and from British ports than in vessels hailing from American ports direct. Hence English vessels would load in America, sail to Halifax, unload and reload the cargo, sometimes actually, but often nominally, and then go to England with it, bringing it in at a smaller duty. British vessels also had the advantage of us in the trade to and from the West Indies. Our persistent attempts at negotiations were in vain. We gave England rights which she would not give us.

THE TRICK OF A CIRCUITOUS TRADE.

British ships, too, took advantage of a circuitous trade. This was reported by a committee to Congress as follows:

Many vessels now go from the ports of Great Britain carrying British manufactures to the United States; they load there with lumber and provisions for the British West Indies, and then return to the United States with the produce of the island for Great Britain, and take in additional freight from the United States coast.

The circuitous trading of ships was regarded as robbing American ships of a legitimate trade, and also in great measure of their coasting trade. Further, it was complained that British ships could under the treaty carry a full cargo from a British port, discharge the whole or part, and then reload and proceed to any port of the United States, take up another cargo, and start for any other port; while an American ship could only import a cargo direct from the United States to a British port, and could not reload in England and sail to any foreign port. This inequality was clear and undeniable, and led to protracted discussions.

BREACH OF FAITH CONFESSED.

In this we have the evidence that England even under pretended "reciprocity" endeavored to take advantage of us in every way.

The fact was openly acknowledged by Mr. Lindsay, the leading English shipping historian. He says :

Our statesmen saw intuitively that the United States were destined to become the lead of a powerful and a highly commercial nation. * * * This reciprocity, as it was called, worked disadvantageously for British ships, and *we adhered to our restrictive law*, which provides that produce of Asia, Africa and America should not be imported in foreign ships.

Here was the first breach of faith in reciprocity. "The Americans," he adds, "retaliated for this restriction by applying it to all goods the produce of Europe." Hence arose a warfare of restriction. It was now beginning to be recognized by England that the American statesmen did not propose to submit to foreign injustice.

RETALIATORY LEGISLATION WINS AGAIN.

May 15, 1820, Congress passed an act providing that from September 30 that year the ports of the United States were to be closed against British ships coming from the maritime provinces in Canada, the British West Indies, and the British colonies in South America. Also that British ships sailing from the United States be required to give good bonds that their cargoes should be landed in ports other than those named above. Also that no goods be imported from these places save such as were the local growth or manufacture of the place, under penalty of confiscation. This was done to compel England to open the West Indian and colonial trade to us. At any rate, it would stop her trade from those colonies to us when we could not go there.

This stroke of retaliation brought England to terms. Parliament opened the West Indies and other colonies to our trade August 24, 1822, and President Monroe opened our ports to English vessels from those colonies. Once more admitted to the West Indian trade, our progress was so rapid that again British ship-owners were alarmed, and all sorts of duties and regulations were enacted with purpose to embarrass us. The result was that in 1827 so many were the obstructing duties and regulations that the West Indian trade was of little value to us, and indeed practically closed against us. March 17 of this year, President Adams again prohibited all trade with the British colonies in America and the West Indies.

In 1830 England again came to terms perforce, and finally conceded full reciprocity in the West Indian and colonial trades, which were thenceforward unrestricted. Thus still had our statesmen met

every stroke in England's oppressive policy, and every time with success.

Thus it was a steady struggle during the forty-seven years from 1783 to 1830 to obtain our rights on the sea, and we got them in every case *only* after the loss of vast sums of money and of life, and only after vigorous retaliation on our part. The whole history of our intercourse with England is one of success in trade and navigation only through retaliation.

OUR PROGRESS UNDER DIFFICULTIES.

Let us look for a moment at the figures of shipping progress while our statesmen were thus meeting England in every turn of her policy, whether war or restriction. The result of our protective and retaliative legislation was wonderful from the very start. From 1879 to 1812 our tonnage increased from 280,000 to 1,100,000, or 400 per cent., while England's increased only from 1,500,000 to 2,000,000, or 25 per cent. And there is no instance where any nation has ever made such progress as we did in shipping between 1815 and 1840 under our protective laws against England's attacks. The following statistics of tonnage entering the ports of the United States in the years named from 1789 to 1844 will show the fluctuations caused by legislation, and our advance whenever the circumstances were equitable and favorable:

<i>Years.</i>	<i>American.</i>	<i>British.</i>	<i>Total foreign.</i>
1789	127,329	94,410	106,654
1795	580,277	27,097	56,832
1800	682,871	71,689	121,403
1806	1,044,008	69,350	91,084
1812	669,999	1,196	47,098
1815	700,500	145,368	217,413
1820	801,252	47,365	78,859
1827	918,361	101,470	137,589
1835	1,352,653	529,922	641,310
1840	1,576,946	582,424	712,363
1844	1,977,438	766,747	916,992

A NOTE OF WARNING.

So excellent was our position in 1827 that the *London Times* thus expressed England's alarm. From an editorial in May, 1827, we quote:

It is not our habit to sound the tocsin on light occasions, but we conceive it to be impossible to view the existing state of things in this country without more than apprehension and alarm. Twelve years of peace, and what is the situation of Great Britain? The shipping interest, the cradle of our navy, is half ruined. Our commercial monopoly exists no longer,

and thousands of our manufacturers are starving or seeking redemption in distant lands. We have closed the Western Indies against America from feelings of commercial rivalry. Its active seamen have already engrossed an important branch of our carrying trade to the East Indies. Her starred flag is now conspicuous on every sea, and will soon defy our thunder.

What a humiliating confession was this from a nation that had labored so hard in war and diplomacy to drive us from the sea! But this condition went on from bad to worse, until in 1833 a commission was appointed to investigate the whole matter and report what could be done to benefit English shipping. And after this commission had reported that it was of no use for England to try to compete in building the wooden ship, inasmuch as the Americans had the timber right at hand, and could build the fastest and best ships, the great question was how to find something superior to the wooden ship that England could build better than any other nation. For whatever might be done in the way of the casual purchase of American-built clipper ships, the shrewd men of England, who had the shipping interest in charge, knew well that no nation could hope to maintain a chief place on the sea that did not build its own ships. The drain of money to pay and support foreign labor and to buy and keep in repair a vast fleet would exhaust any nation's treasury and destroy its home market.

THE POLICY OF WISDOM AND STATESMANSHIP.

The Board of Admiralty carefully investigated the condition of the shipping interest. Finding that the fast American clipper-ships were running away from the English vessels, they took up the question of steam. The experiment of steam was tried for many years, with but comparatively little success. The statesmen of England satisfied themselves how impossible it was to be first on the sea without building their own ships, and how impossible it was to build ships without having the material at home. Then came the suggestion of iron. The whole shipbuilding and engineering talent of Great Britain began to discuss the question of iron, of which England had abundance, as material for ships. Experiments were made. It was found that the cost of building iron ships would be far greater than that of buying wooden ones from us. The same difficulty confronted the English ship-builder that later met the American ship-builder when the change had to be made from wood to iron, from sail to steam. The plant for the iron ship was ten times the cost—for the wooden ship required only the ground to build on—the tools belonged to the workman him-

self—while the iron ship required the rolling-mills, the engine-works, and all the elaborate machinery of the iron ship-yard. But because of this difficulty was the proposition made that the experiment of iron ship-building be given up, and the clipper-ships be bought of America? On the contrary, the English statesmen immediately found a plan to overcome this difficulty *by beginning to construct a navy in the private iron ship-yards*. This demand of the Government for the ships created a capital for the plant; and from that time down the English Government has pursued that policy of constructing her navy in the private yards; thus establishing a confidence in her private ship-builders that drew the capital and custom of other nations to them. From that time, as a consequence, more than half the navies of the world have been built in England's ship-yards, and nearly all the governments of the world are dependent on England for their naval ships.

While England had cheap capital, cheap labor, and her iron ship-building developed, she yet directly aided not only the building, but the running of the ship, and to this it was that she owed her hold on every sea. Large annual appropriations were made, and in return the Board of Admiralty made it a condition, 1. That the ships must be approved by the board as being easily convertible into war ships; 2. That they be put into lines where it was most desirable to open new markets for Great Britain's manufactures; and 3, That they carry the mails to the different countries where trade was most desirable, and break down opposition to her ships running in those directions. This policy the Government was determined to sustain at any cost, having learned by experience that it was cheaper than war. Under certain contracts ships were actually paid not to cover any specific ports, but to roam between certain latitudes, picking up trade wherever they could find it. They were a sort of Government-supported commercial rover.

Between 1840 and 1860 England paid out under her Board of Admiralty \$120,000,000 to steamships. In 1860 she had 150 steamships in the foreign trade. Each ton of steam is equal in capacity to three tons of sail, so that though her steam tonnage showed only the same as sail, it had a capacity three times what appeared; while in 1860 we had only three side-wheel wooden steamers in the foreign trade; so that in the ship of the future England had in those years gained on us as 58 to 1. We had met England in every policy but that whereby she developed her iron ship-building.

MAIL CONTRACTS AS A HELP.

As I have shown, under the Board of Admiralty the new policy of building up a steam marine was begun, and when Samuel Cunard offered, in 1840, to build a line of mail steamships for the North Atlantic, his offer was at once accepted. In 1840 he had four 1,200-ton wooden side-wheel steamers, 228 feet long over all, 34 feet beam, 28-feet deep paddle-wheels, and beam engines. The names of the four ships were Columbia, Britannia, Acadia, and Caledonia. Their speed was nine knots in favorable circumstances. It would not cost to build them more than \$200,000 each, making a total cost of \$800,000 on these vessels; yet Mr. Cunard got his contract of \$413,000 (\$16,000 per round trip) the first year, and this was increased to \$550,000 the next year, or 70 per cent. per annum on the whole cost of the ships.

This was a subsidy, pure and simple, given to Mr. Cunard to enable him to establish and maintain his line, and increased that he might run his line not only without loss but at a profit. Without it does any one believe the line would have ever been started? This liberal subsidy was increased to \$705,666 in 1846, when two more ships were put on, and still remaining at 70 per cent. on the whole capital invested. This gave the company a liberal margin to use as a "fighting fund" to cut rates against the American clippers; even this was much cheaper than England's war experiment of 1812.

The amount annually paid under this Board of Admiralty was equal to 30 per cent. on the capital invested. The citizen of no other nation could afford to meet the ship-owner of Great Britain in competition, for it was not the citizen of Great Britain he had to compete with, but the English treasury at the back of the merchant marine.

AMERICA'S EXPERIMENT.

When these lines were started the pride of the American people was aroused. We had met England in all her attempts to drive us from the ocean, in embargo, in restrictions, in retaliatory measures, and in war, and the disposition was now to meet her in this new policy of diplomacy. When it was seen that England began to take away from us the mails, passengers and costly freight, a patriotic citizen, the owner of one of our finest old packet lines to Liverpool, sold his ships and invested his fortune in the construction of what was known as the Collins line. He had the promise that our Government

would sustain him against the English Government and the Cunard line. He built his ships superior in tonnage, speed and comfort to the English ships, made quicker time than the Cunard vessels, and again for a brief period the American flag held the first place on the sea. I have already told how the Cunard contract was renewed and enlarged. Our Government, without considering the conditions or its promises, tired of the experiment before it was fairly made, refused to continue the Collins line, and the American flag was hauled down. Mr. Collins was ruined, his ships were sold, and a signal warning was thus given to the capitalists of the United States that our Government had surrendered to Great Britain's new policy.

But perhaps the most astounding thing of all was that our own Government should turn around and help subsidize the same English ships, paying the Cunard line for carrying the United States mails. Thus we witnessed the pleasant spectacle of the English Government and our own uniting to subsidize an English line and keep us from holding our true position on the ocean.

SOME VIEWS WORTH HEEDING.

When this great wrong—that only a few years later was to cost our country many millions of money and hundreds of thousands of invaluable lives—was inflicted upon the American merchant marine, in the debates in Congress the following words show the dread our statesmen had of England's designs upon our position on the sea.

WHAT MR. POLK SAID.

Mr. Polk, in debate in Congress upon sustaining the Collins line, said:

It is strange, sir, that men who are presumed to embody the wisdom of the land should have to be reminded that they are *pandering to British power*—that they are forgetting American interest, and losing sight of that greatness and grandeur which attaches to this American Government. I stand upon the floor of the American Congress and find men who are willing to measure our greatness by the circumference of a dollar—a dollar, sir—measure American prosperity, American greatness, by a round dollar, and thus pander to British interests, to bow the pliant knee and say to the power that assailed us at Lexington, that flashed the first guns from Bunker Hill, that fought us upon sea and land in 1812, that has been jealous of our prosperity and greatness ever since—"Good mother, won't you carry our mails for us?" Why, sir, I scorn, I despise this anti-American feeling and sentiment. The men who stand battling upon these principles are behind the age. They are behind the progress of their country, they know nothing of its power or its influence, and are contributing to a combination of foreign policy designed to overslaugh us.

Never were there truer words, or fuller of foresight; and just such men as then fought for British interests find their allies and representatives to-day in our country crying out for free trade and free ships.

WHAT SENATOR BAYARD SAID.

Mr. Bayard, the father of the present Senator, said in 1852, while advocating justice to the Collins line:

I am willing to trust American skill and industry in competition with any people on the globe, when they stand nation to nation, without government interference. But if the treasury of a foreign nation is poured into the lap of individuals for the purpose of destroying the interests of my country, or for building up a commercial marine at the expense of the commerce and prosperity of the United States, I, for one, will count no cost in countervailing such governmental action on the part of Great Britain or any foreign power.

It has been objected that these grants create a monopoly. * * * If the argument be true, I ask you if it does not apply to the transportation of your mails by land. * * * Then the whole Government action is a series of monopolies as regards the "post-office service."

He then argued that it was not monopoly, but American competition against British monopoly.

Will you adopt a policy which will place the entire transportation of your mails under their (British) control; which will put into their hands the transportation of passengers; which will lay a tax on American citizens for the advancement of British commerce, their freights, etc.? Such may be the judgment of the honorable Senator, but it is not mine, and I trust it will not be that of the American Senate.

The mail service in this and in all countries *on land* is a government duty, and with all great maritime nations which have the power to control that service on the ocean it is as much a government duty, where their extensive commerce is concerned, as is on land the proper transportation of correspondence. The mail service with foreign countries, on any principle that I can appreciate, is as much a governmental duty, and demands as much the expenditure and the attention of the Government, as transportation of correspondence in the interior of the country.

Just this thing of placing our mails under British and foreign control has come to pass, and these views were as prophetic as they are sound. They commend themselves to all citizens, in and out of Congress, who love their own country first and best.

WHAT SENATOR CASS SAID.

Lewis Cass said in the Senate, on the same subject:

Well, sir, it is a question of protection—of high and important and holy protection—in the best sense of the term; the protection of our country, of our expatriated seamen, of our commerce, of our interests, of our honor, of our soil, of all that gives dignity and character to nations; protection against defeat, disgrace and dishonor on the sea. This kind of protection to our commerce is as effectual as the protection afforded by expensive naval armaments.

WHAT WASHINGTON SAID.

This was in the same line with the wise words of President Washington in his second annual message:

I recommend to your serious reflection how far and in what mode it may be expedient to guard against embarrassments from these contingencies [danger to our goods carried in

foreign ships by war], by such encouragement to our own navigation as will render our commerce and agriculture less dependent on foreign bottoms which may fail us in the very moment most interesting to both of these great objects.

WHAT MADISON AND JEFFERSON SAID.

And to quote brief and applicable words from two other of our earliest and most eminent statesmen, who were not ship-owners, and whose patriotism will not be questioned, Madison said :

If America should have vessels at all, she should have enough for all the purposes intended ; to do her own carrying, to form a school for seamen, laying the foundation of a navy, and to be able to support herself against the interference of foreigners.

While Jefferson, in his famous Report on Commerce, said, with singular prophetic vision :

Our navigation involves still higher considerations. As a branch of industry, it is valuable ; but as a resource of defence, essential. The position and circumstances of the United States leave them nothing to fear from their landboard, and nothing to desire beyond their present rights. But on the seaboard they are open to injury, and they have there, too, a commerce which must be protected. This can only be done by possessing a respectable body of citizen seamen, and of artisans and establishments in readiness for shipbuilding. If particular nations grasp at undue shares (of commerce or carrying), and more especially if they seize on the means of the United States to convert them into aliment for their own strength, and withdraw them entirely from the support of those to whom they belong, defensive and protecting measures become necessary on the part of the nation whose marine resources are thus invaded, or it will be disarmed of its defense, its productions will be at the mercy of the nation which has possessed itself exclusively of the means of carrying them, and its politics may be influenced by those who command its commerce. The carriage of our own commodities, if once established in another channel, cannot be resumed in the moment we desire. If we lose the seamen and artisans whom it now occupies, we lose the present means of marine defense, and time will be requisite to raise up others, when disgrace or losses shall bring home to our feelings the evils of having abandoned them.

Is not our present condition here truthfully described by Jefferson ?

ENGLAND'S WARNING TO FOREIGN CAPITALISTS.

I commend these views of our earlier statesmen to the consideration of the reader. They are applicable to-day with even more force than originally, in view of our growth in commerce, our decline in carrying, and the demands of our future.

It requires millions of capital to start large steamship lines on the ocean. Capitalists of all nations, before investing in the business, are looking to the competition they are likely to meet. In 1867 England notified the capitalists of the world of the competition they might expect in any effort for the ocean carrying-trade. The experiment was tried by French capital backed by the French Government, but failed through England's policy.

The Oriental Steamship Company (English) owned thirty-seven ships, and had a subsidy amounting to \$2,250,000 a year, or 12 per cent. on their whole capital, but this was not sufficient to meet the French opposition. The company decided to withdraw their fleet and surrender the trade to France. The English Government at once ordered a commission to investigate the affairs of the company. This commission reported that to make the company's business pay, a guarantee must be given to pay them 8 per cent. during the French opposition. The great line was saved, and the company's ships kept in commission. This was a notice to the capitalists of the world that the English Treasury was at the back of her ocean carrying.

And to show more fully how this question was looked at in England, I will quote from the official documents submitted to Parliament. These documents both dispose effectually of the claim sometimes made here that England never paid subsidies, and prove how firmly the English Government favored its successful policy of aiding to establish and maintain steamship lines, under the Board of Admiralty and postal contracts alike. As in the case of the Oriental line, not even a pretense of pay for mail service was kept up, but a dividend of 8 per cent. was assured the company, that its ships might be run for the purposes of fostering English trade.

THE MERCHANT MARINE A PART OF THE GOVERNMENT.

Let us take the official documents in support of this. The one, for example, with the Peninsular and Oriental Company made with them in 1853 for an annual subsidy of \$2,500,000 was to expire January 1, 1867. February 27, 1866, a new contract was made. Whether the contract was made for any other purpose than that of simply carrying the mails may be judged from the fact that under the contract the company agreed to submit its plans to the Government Commissioners, and to construct the hatchways and other parts of its ships as might be necessary to the carrying and firing of a heavy armament. That made the vessels immediately available for naval purposes and for defense, and they were at the Government's disposal in case of need, and were used in the Crimean war in a way that opened the eyes of the French to the great importance of the merchant marine manned and equipped and at the Government's disposal. This merchant marine, made a part of the Government as it actually was by the terms of contract, added a wonderful strength to its naval force in case of extremity.

With the same company a new contract was made in 1870. In "Articles of Agreement made this 6th day of August, 1870, between the Right Hon. Spencer Compton Cavendish, commonly called the Marquis of Hartington, her Majesty's Postmaster-General, and the Peninsular and Oriental Steam Navigation Company," I find that for carrying the mails at a speed not exceeding ten knots an hour "the Postmaster-General doth hereby covenant that there shall be paid to the company (out of such aids or supplies as may from time to time be provided and appropriated by Parliament for that purpose) the sum of £450,000 (\$2,250,000) per annum." And in section 46 the contract of 1867 is declared annulled, "all claims of the company in respect to the subsidy therein mentioned having been fully satisfied by the payment of a subsidy after the rate of £500,000 (\$2,500,000) per annum."

A DIVIDEND GUARANTEED.

In a report of the Postmaster-General, dated July 20, 1870, I find this significant passage:

By the terms of the contract concluded with the Peninsular and Oriental Steam Navigation Company, on the 19th of November, 1867, the subsidy to be paid the company is set down at £400,000 (\$2,000,000) a year, with a stipulation, on the one hand, that whenever the annual income of the company from all sources does not admit of the payment of a dividend of 8 per cent. on the capital employed the subsidy shall be increased by so much—subject to a limit of £100,000 (\$500,000)—as is required to make up such a dividend; and, on the other, that whenever the income is sufficient to allow a dividend exceeding 8 per cent. to be declared the company shall pay to the Postmaster-General one-fourth of the excess.

NOT ONLY SUBSIDY, BUT DIVIDEND.

Here is not only a subsidy, but a Government guarantee of an 8 per cent. dividend to the company's stockholders. The company estimated that "the receipts from the passengers and cargo must, for a long time to come, be greatly below the expenditure absolutely necessary for the maintenance of the service" against the yet more highly subsidized French line; and the Government promptly raised the annual subsidy back to £450,000 (\$2,250,000). How could the American Pacific Mail Line compete or increase its fleet against this line, which was guaranteed 8 per cent. by the English Government, while our Government compelled the Pacific Mail to carry the mail against its will for the postage, which was a mere nothing.

THE ROYAL MAIL CONTRACT.

The case of the English Government's contract with the Royal Mail Steam Packet Company to Brazil, dated June 26, 1863, is still more

striking. That contract guaranteed subsidies sufficient to yield 8 per cent. dividend on a capital of £900,000 (\$4,500,000). An extension of the period of the contract was asked for, in consequence of serious loss to the company by hurricane, in order to enable it to get on its legs again. In view of the French competition, the Government readily granted it. The fact was frankly admitted by the company's secretary, in 1867, that "during the American war and before the competition of the highly-subsidized French company, this company earned sufficient to yield a satisfactory dividend to its shareholders, but the case has been very different during the last two years.

AN IMPORTANT PARLIAMENTARY REPORT.

An investigation was made by Mr. Scudamore, recognized as the most competent man in England in such matters, and he reported, among other things, as follows:

First—That the circumstances and position of the Royal Mail resemble in many striking particulars those of the Peninsular and Oriental Company, and that both are conducted upon sound and well-recognized principles.

Second—That with both companies a subsidy is absolutely necessary to the maintenance of the service required from them, and that in the case of both companies their ordinary revenue has in no case sufficed to meet, and is now very much below, the expense of the service they have to perform.

Third—That the Royal Mail Company has held contracts for the conveyance of the mails for periods of twenty-seven and eighteen years, or a subsidized existence equivalent to forty-five years. That it could have borne an abatement of £60,000 (\$300,000) from its postal subsidies in 1862 and yet have paid a dividend of more than 8 per cent. That in 1864 they did suffer an abatement of \$300,000, but still paid over 19 per cent., with a further dividend of 5 per cent. from their insurance fund. Note how long it took this infant company to get its growth and stand alone, though having all the advantages of cheap capital, cheap labor, and taxation.

Fourth—That this prosperity continued until 1866, when it came to an abrupt close; that in 1867 the company only just made both ends meet, and that the saving of \$300,000 per annum to the English Government from 1864 to 1867 could not have been effected, and the rapidity, frequency, and efficiency of the communication been at the same time maintained, if the American war had not thrown into the hands of the company a new and very lucrative trade. Thus subsidy and our war did the work of driving us from the sea.

Fifth—That the first question is whether it is considered necessary that the communication between England and the Spanish main, Central and South America, the Brazils, and the River Plate should be as frequent, as rapid, and as secure as heretofore. [As an argument on this point he shows that England's trade with these countries had grown from £39,850,911 in 1862 to £52,495,496 in 1867. And he adds: "I assume that in whatever way it is thought right to maintain communication with those countries the service will be direct, and not, as it was at one time proposed to be, by way of New York, I am led to assume the abandonment of the proposition for a service *via* New York, by a perusal of the memorials which the department received in 1862 and 1863 against the adoption of that route from the representatives of the entire mercantile community of the kingdom. The memorialists all took the same ground, that the transmission of the mails *via* a foreign port, when they could be sent direct, was objectionable in principle."]

Sixth—That the withdrawal of the subsidy from the Royal Mail Company, if it did not altogether break up the company, must entirely alter the character of their operations and lead almost immediately to a deterioration of the quality of their fleet; that there can be no doubt that during the American war the Royal Mail Company derived a special advantage from their position as contractors with the British Government, and it is a sound proposition that the subsidy for such services as theirs should be such as, taken together with the returns from ordinary traffic, will yield a moderate dividend.

This report was accepted, and the contract extended as asked. And I would like to have those who are content to have our mails go to Brazil *via* England ponder on the meaning of these remonstrances of the whole mercantile community of England when it was proposed to send a mail line *via* this country.

FREE TRADE GONE MAD.

Thus, though England adopted free trade where it served her purpose, yet to her steamship lines she gave the most radical protection. And as Mr. Sherman Crawford said in his great speech, when the question was before Parliament of renewing the mail contract with the Peninsular and Oriental Company, "to refuse to renew the subsidy to English lines, and to let them compete with the highly-subsidized French lines, would be free trade gone mad."

Mr. Crawford further said, in opening the debate in Parliament, that "wherever postal communication has been extended there commerce has invariably been attracted; in fact, the conveyance of the mails has proved a most efficient agency for increasing our trade in all parts of the world." This is a point worth noting, and is one that I have always maintained.

I for one hold that there are considerations to be taken into account in this matter, which are wholly apart from the question of the profit and loss arising upon the accounts of the Post Office. This difference is not considerable; but whatever it is, that difference represents the whole cost to this country of the means by which not only the commercial but the social and political connection between this country and the world is kept up.

THE VALUE OF POSTAL COMMUNICATION.

Sir Charles Wood, who is an authority second to none, wrote to the Secretary of the Post Office in October, 1867:

It has been the perception of the bearing of increased postal communication on the wealth and progress of the country that has induced statesmen of late years to consent to fiscal sacrifices for the purpose of obtaining it. There can be no doubt that increased postal communication implies increasing relations, increased commerce, increased investment of English capital, and from all these sources the wealth and prosperity of England are greatly increased.

I commend those views to the theorists who make light of the value of postal communication as a necessity to the building up of commerce. Do they not show that England did pay subsidies for some further purpose than simply the carrying of the mails? But speaking of the proposal to afford to foreign companies the power of competing, Mr. Crawford said:

Now, what I desire to do on this occasion is to protest in the name of the interest of the country and of commerce, and in justice to our own companies, against the ships of the Messageries Impériales or of any other foreign company being employed in the conveyance of our mails. [Loud cheers from all parts of the house.] *You may carry the principle of economy too far.* [Hear! hear!] *Such a course of proceeding would be free trade gone mad.* [Renewed cheers.]

THE VALUE OF A MERCHANT MARINE IN WAR.

I am convinced that the subject has not been sufficiently considered. For what would be the position of this country in the event of a war or any interruption of existing relations taking place? Supposing the Messageries Impériales or any other foreign company be awarded the contracts for our mail service, what would be the position of our commerce in the event of our being unfortunately engaged in hostilities with the country with whose people the contract has been entered into, or even in the event of that country being at war with some other? [Hear! hear!]

A PERTINENT QUESTION.

I want to call special attention to the above sound suggestions, because it has been asserted here—even by a man of Professor Sumner's rank—that it makes no difference at all whether we carry our own mails or products or have foreigners carry them, so that they are carried most cheaply. That certainly was not England's view or policy. And I would like to ask any sensible man this question: If England had lost her carrying and merchant marine under such circumstances as we did, and if it had been declared that England would be better off to let France carry her mails and to buy what few ships she could get from France instead of securing the means to build them at home; if, moreover, when a proposal was made to establish steamship lines to carry the mails to new ports which needed to be opened up to commerce and give to English producers new markets, a great outcry was made about "Subsidy;" if, in short, any Englishman had talked so unpatriotically and absurdly and misrepresented things so badly as certain American theorists have done, would not Mr. Crawford, yes, and even Mr. Cobden himself, have said that they were "free-traders gone mad?"

THE VIGILANCE OF ENGLAND.

Now on another point of national importance, read what Mr. Crawford said in Parliament while the subject was under discussion :

I am of opinion that there is a question of grave national policy involved in our maintaining these great lines. And the French seeing this, it has been a part of their policy for years past to construct a commercial marine of their own, propelled by steam, which shall enable them to compete with the large companies of this country. The French have seen what the Peninsular and Oriental Company's ships did in the Crimean war. They then carried upwards of 60,000 men from this country, 2,000 officers, and between 11,000 and 12,000 horses. We know, also, what the Peninsular and Oriental Company did at the time of the Indian mutiny. Where should we have been if its vessels had not been in existence then to take out our troops and military stores? [Hear, hear.] We know, too, what was done by another company in the "Trent" affair. We know how 10,000 men were sent out to Canada by the Cunard line of steamers and other vessels, almost at a day's notice.

OUR SUBSIDIES TO FOREIGN LINES.

Yes, in America we know that, and we know, too, by the official statistics in the Post Office Department at Washington, that during those years from 1855 to 1870 the United States Government was nursing this foreign line to strike back at its own life by paying over \$3,798,000 to it for carrying our mails. It is strange that our American free-ship advocates never notice facts like this, which show how fine a policy it is to be dependent upon foreign nations. We were virtually paying a subsidy to the Cunard line. And to pay our money to foreigners for carrying our mails is nothing less than to raise up a navy to be turned sometime against ourselves. I say what we want to do instead is to *raise up an auxiliary navy of our own*.

POLITICAL INSANITY.

But to conclude with Mr. Crawford, he said strongly :

Now I enter my protest against any act on the part of Her Majesty's Government which shall saddle this country with a contract either with the Messageries Impériales or any other foreign company. [Loud and general cheering.] I hold that such a course would be contrary to public policy; that it would be unfair and unjust to the Peninsular and Oriental Company, and that it would be an act of *political insanity* for us to put such a weapon into the hands of any foreign government whatever; and more especially so, bearing in mind that the weapon thus put into their hands has been first taken out of our own. [Loud cheers.]

I call that a sound and national view. We did not accept this view when between 1855 and 1870, as I have shown, we paid from three to four millions to place such a weapon in English hands, and had it turned against us by the sending over of war ships to Canada to menace us in the "Trent" affair.

SIGNIFICANT SUBSIDY FIGURES.

Before leaving this subject of Government contracts, there ought to be added the official detail of income for 1880 of the three following companies :

<i>Companies.</i>	<i>Freights.</i>	<i>Passengers.</i>	<i>Subsidy.</i>	<i>Others.</i>	<i>Total.</i>
Peninsular and Oriental.....	\$4,875,000	\$2,965,000	\$2,415,000	\$95,000	\$10,350,000
Pacific Steamship.....	4,025,000	2,355,000	115,000	10,000	6,505,000
Royal Mail.....	1,680,000	1,370,000	490,000●	.....	3,540,000
Totals	\$10,580,000	\$6,690,000	\$3,020,000	\$105,000	\$20,395,000

The Pacific Steamship and Royal have no opposition to contend with, and so, in accordance with England's shrewd policy, the Peninsular and Oriental, which has to compete in China and Japan with American and French lines, receives the bulk of the amount. This subsidy enabled the companies to pay a 6 per cent. dividend, after an insurance of 5 per cent. and a sinking-fund of 5 per cent. more for reconstruction. The policy brought into existence over 280,000 tons of steam, and enabled it to earn a gross revenue of over \$20,000,000, or a revenue per ton of \$75.

ENGLAND'S DISPOSITION TOWARDS US.

In view of her persistent policy from the very foundation of our Government to drive us from the sea, in view of her vast expenditures of money to gain her point with the iron steamship, what mood should we expect England to be in with respect to this country when our Civil War came? Was it likely she would be found to be our friend? Or was it not likely she would plot to accomplish in that hour her purpose to drive us from the sea? How she did this by fitting out blockade-runners and by giving aid, direct and indirect, is matter of history. The official records in our Naval Department show that in December, 1865, there were 354 vessels and 28,526 men in our navy engaged in blockade service, at a cost yearly of over \$25,000,000. This utterly ruined our marine, as well as prolonged the war.

As a result, when peace came, England carried more than one-half of the commerce of the entire world under her flag. And after all the struggles of our earlier statesmen, and their prompt meeting of her policy of war and legislation, it was left for this later time to produce Americans, in and out of Congress, who should declare that the only way for us to regain anything on the sea of what had been taken

from us in our extremity is to go to our great rival and marine enemy for ships or material.

WHAT THE WAR DID.

It has been said that the Civil War did not destroy our merchant marine. Assuredly, the war alone did not do it. I have showed the causes that began to operate before the war, that operated during the war, and have since continued. But, in conjunction with these causes, the war was an added cause that led to the almost utter extinction of our merchant marine on the North Atlantic. The facts are plain:

1. The war found us totally unprepared. We had no navy to protect the Government, much less to protect our merchant marine. The Government took for its use in emergency over 1,000,000 tons of our shipping. The figures of loss are as follows:

	<i>Tons.</i>
Navy Department took of our best shipping, principally steam.....	565,978
War Department took, for transports.....	787,611
Ships sought refuge under foreign flags, since we had no navy to protect them.....	801,311
Or a total loss during the war of.....	1,854,900
Between 1865 and 1875 Americans sold to foreigners, because the former could not run them in the foreign trade in competition with cheap capital, cheap labor and low taxation.....	457,000
Making a total decline in tonnage of.....	2,311,900

WHAT HAD PROTECTION TO DO WITH CAUSING THIS?

This loss represented \$115,595,000 that was represented in our shipping business. This capital was put into other business where it was protected. It might be said, from this showing, that our foreign carrying-trade was pretty well broken up by the war. But again I ask, what had protection to do with it? It was just because we did not protect shipping in the foreign trade that we could not revive or sustain it. Had we treated our factories during the war as we did our ships, we should have been without factories as we were without ships when the war was over. To offer capitalists free trade in brick, timber and iron, without protection against the cheap capital and labor of Europe, would be sheer mockery. This is the remedy that theorists have been applying to our shipping difficulty. The man who wishes to do justice to this case must ask himself the question: On what conditions would he be willing to put in his money?

But the free-ship advocate may say that we did protect the ship by the Navigation laws. The Navigation laws, it is true, protected the building of the ship, but what was wanted was protection for *running*

the ship. That was where we failed, and that is the failure Government is now called upon to remedy.

2. But the principal fact to be noted in this connection is that when the carrying trade of the North Atlantic was thus thrown open, England was prepared, by reason of the policy I have shown, and at once seized upon it and firmly established herself in it. The result was simply this, that between 1860 and 1870 England's shipping increased about 400 per cent., and when the war was ended she was in full possession of the North Atlantic carrying-trade, and we were almost wholly out.

THE CHANCE WE LOST.

3. Suppose we had met England's policy in 1840 as we met her at all other times before that, and had in our turn encouraged the building of iron steamers to equal extent, by equally liberal pay for fast mail service, and by other encouraging legislation. Suppose we had, as a result, not only developed our iron and coal, and stimulated all branches of industry, but also built up a similar fleet of 150 iron steamships, ready to be summoned to Government service and defense when the war broke out. Why, with seventy-five of these fast steamers we could have both protected our coast and blockaded every Southern port, leaving the other fifty-five ships to carry on our business and take care of outside invaders. In that case we might have forced England to pursue a different kind of neutrality, and the Alabama and Shenandoah would have had no existence. Our war might have been ended within a year, and thousands of lives and millions of dollars saved to our country. What a tremendous sacrifice did we make then for want of a wise policy twenty years before in regard to our shipping interests! Had we appropriated twice as many millions a year as England did to encourage building such a fleet, would not this expenditure have been saved to us many times over when our emergency came?

OUR CONDITION WHEN PEACE CAME.

Thus we have considered the period before our Civil War, and the war period itself, in relation to our shipping. Let us now look at the third period, since the close of the war in 1865 to the present, and note the additional causes of our shipping decline. These are found to be: 1. Taxation and other burdens; 2. Dear capital; 3. Dear labor; 4. Pre-occupation of the North Atlantic by other nations; 5. Non-American agitation; 6. Lack of legislation and a firm governmental policy; 7. A currency below par.

1. What was the condition of affairs when peace was restored? The war had stimulated internal development. The millions of capital withdrawn from shipping by American merchants had been put into railroads, telegraph lines, and factories. There was no chance to profitably invest capital in competition with England on the ocean, when there was no protection for it, and naturally this capital sought investment where it was protected, and had to compete only with capital equally burdened by the high rates of capital, taxation, and labor.

When the attention of the people began to be drawn to the carrying trade, what we had left of it, it was found that of our remaining tonnage a small proportion was composed of wooden side-wheel steamers, almost worn out and of little use; the balance of wooden sailing-ships, many of them also old and comparatively worthless. Although during our war the revolution on the ocean—steam for sails, iron for wood, the screw for side-wheels, the compound engine for the ordinary—had been completed, yet at its close there was not an iron-screw steamer, nor one with a compound engine, under our flag. Nothing was left us but wooden sailing-ships to compete with England's fleet of modern iron screw steamers already in possession of the business. We had no yards established for the building of iron ships. Our rolling-mills were not in condition to make the shapes of iron necessary, nor had we much skilled labor in that direction. Our currency was at a discount of 40 per cent., and we had a tax on the ownership of vessels ten times greater than Great Britain's. Added to this, England had the powerful advantage of possession. As business men you well know the difficulty of organizing capital to buy ships or anything else in a market for the purpose of competing with capital already organized and invested, and especially when the surrounding circumstances are all against the new organization.

THE FALSE CRY FOR FREE SHIPS.

2. Take the three causes, of Taxation, Wages and Interest. It has been the cry on the part of certain men ever since the war closed that "free ships" was the only thing needed to rebuild our lost merchant marine and reestablish ourselves in the carrying trade. Let me show you the real facts in the case.

What was our condition in 1865, when this cry was first raised in Congress? No ships but a few worn-out sailing-ships and side-wheel steamers. No chance to compete with England's iron ships by build-

ing wooden ones; no facilities in the country to build iron ones; the carrying trade already in possession of foreigners, with their cheap capital, cheap labor and low taxation. Truly a poor condition!

"Give us free ships!" said the advocates of an English interest to an American Congress. Well, I will show you that if Congress had bought and given ships absolutely free to these very advocates, they could not then have run them under the American flag. And for these reasons:

Suppose five 4,000-ton steamers had been given to a company of free-ship men for nothing in 1865, the value of the ships being \$5,000,000, the account at the end of a year would stand thus between them and their English competitors:

Taxation of American line on its \$5,000,000 of property at $2\frac{1}{2}$ per cent.....	\$125,000
Wages, 600 men for the five ships at \$2 per day.....	438,000
Total taxation and wages American line.....	\$563,000
Interest on \$5,000,000 capital English line at 4 per cent.....	200,000
Taxation, 1 per cent. on net earnings, say earnings 6 per cent.....	3,000
Wages, 600 men at \$1.25 per day.....	273,750
Total running expenses English line.....	\$476,750
Difference in favor of English line.....	\$86,250

Here is an advantage of \$86,250 a year when the Americans were given their ships for nothing, and no account is taken of interest on capital; neither does this take into account tonnage dues nor the special war tax. And since the Americans who wanted free ships—or said they did—could not expect to get them for nothing, how would they have stood in the competition when they had turned \$7,000,000 of greenbacks into gold (as they must have done if they had used the privilege of going into a foreign market for their ships) to buy what the Englishman or Frenchman or German could buy for \$5,000,000, and when, besides this, they had paid from 7 to 8 per cent. for their capital? Just look at it:

Running expenses and taxation American line.....	\$563,000
Interest on \$5,000,000 capital at 7 per cent.....	350,000
Total cost of American line.....	\$913,000
Total cost of English line.....	476,750
Difference in favor of English line.....	\$436,250

Now an American company of capitalists would have been very likely to invest in English cheap ships in 1865 and subsequently, on those terms of competition, wouldn't they?

And yet the free-ship man unblushingly persists in saying, in the

face of these figures, "Only give us free ships, and we'll be all right." Will we?

Compare the ship on the sea to the factory on the land. Both require capital for the plant and men to operate them. What man could buy a cheap English factory and run it on the American principle of high taxes, high capital and high labor? So in ships, it is not what it costs to get the ship afloat, but what it costs to keep her there, under American rates of taxation, interest and labor, that prevents us from owning ships in competition with foreign owners who employ capital under no such disadvantages.

THE THING TO BE DONE.

Let our Government simply place us on equal conditions with other peoples, so that our capital can be put into competition with foreign capital with a fair prospect of return, and I guarantee that there will be no trouble about first cost. There is no trouble in raising capital to be put into large American-built ocean steamers for the coasting trade, where it will be subject to the same laws, rates and taxation as the other capital employed in that trade. But when we undertake to put capital into the foreign trade we bring it into competition with the capital of other peoples who have more favorable conditions of interest, taxation and labor, and there we find the hunt for capital a vain one. As I have shown, even when England built ships cheaper than any other nation, her great success came from her policy of aiding her merchants to run them after they were built.

OUR COAST-TRADE PROGRESS.

3. To show that capital can be obtained when there is a fair chance in the competition, let me call your careful attention to what we have done in the development of our coast-carrying trade. This has exceeded, under protection, even our unparalleled progress in manufacturing industries. The history of the world does not show so vast a development as that of our coasting trade in the last ten years.

Look at the figures. Counting in the contracts already in hand that cannot be completed until 1882, in the ten years from 1872 we have built 140 iron screw steamships, of a total tonnage of 260,000 tons. We have also built 25 wooden screw steamers, of 27,563 tons. This makes a total steam tonnage built for our coasting and foreign trade of nearly 290,000, 260,000 tons of it iron steamships; while in

1870 there did not exist in this country the rolling-mills and ship-yards required to construct an iron ship such as we have to-day.

Referring for comparison to the ocean-going steam tonnage of the world in 1860, we find that it consisted of 338 steamers, with tonnage of 431,000, divided as follows :

<i>Natio .</i>	<i>No.</i>	<i>Tonnage.</i>
Great Britain.....	156	250,000
United States.....	52	71,000
All other nations.....	130	150,000
Totals.....	338	431,000
Ocean-going steam tonnage built in United States since 1872.....	145	257,563

What a grand showing this is ! We have built in ten years more steam ocean-going tonnage than England possessed in 1860, though she began to build the iron ship in 1840, and had liberally encouraged the establishment of ship-yards, paying millions yearly in postal contracts to induce the investment of capital in the foreign carrying trade.

More than that: in these ten years we have built four times as much steam tonnage as we owned in 1860, while that was made up of old side-wheelers not fit for ocean carrying ; and have built considerably more than one-half as much steam tonnage as was owned by the world in 1860. The ships are first-class, and their carrying capacity is equal to 772,659 tons of sail—the most approved estimates based on experience making one ton of steam equal in carrying capacity to three tons of sail.

THE RIGHT KIND OF A "DECLINE."

France and Germany made no increase of steam tonnage to compare with ours, though they had all the advantages of buying free ships of England—an advantage which the free-ship man claims would have done so much to gain for us a foreign carrying trade—while we labored under all the disadvantages of starting a new business when the financial condition of the country was unsettled, when gold was at a premium, and when for a part of the time there was great business depression and distress. This is the sort of "decline" in our shipbuilding that is due to our protective theory. We can have just such a "decline" in our foreign shipping trade if the Government will protect us as it has our coast business, or as the Government of England encouraged her ship-owners.

What has been the result, and what is the advanced condition of the iron ship-building interest worth to us to-day? Had we possessed

these 120 steamships in 1861, we could have thoroughly blockaded our coast and have brought the rebellion to a close within a year. Through our present facilities we should be able to construct a similar fleet in much less time.

Our coasting fleet is superior to the steam fleet of any country except England. How is this, do you ask? Why, we protected the coasting trade, the same as we did our manufactures, and so saved it; and the result is that the country has a better fleet, to meet an emergency with, than it ever had before. What a benefit this reduction has been to our own people, and yet it has been produced by competition among ourselves!

A PROOF OF WHAT WE CAN DO WITH A RIGHT POLICY.

What we have done with the iron ship since 1872, in the face of financial discouragement, is sufficient proof of what we can do to regain our place as ocean carriers if a permanent policy and a wise one be adopted by the nation. It is no small thing to be able to say that this country is to-day the second iron ship-building country of the world—second only to England—and that, without reducing the cost of American labor, we have reduced the original cost of the iron ship to within 12 per cent. of what it is in England, and can build a ship having no superior anywhere. I am satisfied that our ten years' record in iron ship-building is such a record as ought to stop the mouths of the men who declare that Americans cannot build iron ships, and must depend upon England for them. What we want is a wise policy to enable the merchant to *run the ship* after it is built, and then we shall succeed.

Then, too, what a vast benefit has this coast trade been in the reduction of freight, and especially to the South!

Why, the freight rate on cotton, that was \$6.75 per bale in 1860 from Galveston to New York, was in 1882 only \$2.25; and the same is true of cotton shipped from New Orleans, Mobile, Savannah, etc. Here is a freight saving to the Southern people in the matter of cotton alone of some \$4,000,000 a year.

SHIP-OWNERS GRIEVANCES.

4. But let us look at some other grievances of which the American ship-owner has to complain. Take the report of the Postmaster-General of the United States for the year ending June 30, 1881, and turn to page 46. It is there officially announced that the department

received from postages collected on United States mail matter sent to foreign countries the sum of \$1,560,679.90, and on page 40, in the same report, the Postmaster-General says that the entire cost for transporting the mails to foreign countries was \$239,141.21, thus leaving a profit to the department of \$1,321,548.69. The law requires the *American ship*, sailing to foreign countries, to carry the mails for *sea postage*, or two cents per letter, which means every time a loss to the ship.

Again, last year, so the official report of the department says, the consuls of the United States in foreign ports collected from the few ships which we have in the service, in way of fees, tonnage dues, certificates, etc., the enormous sum of \$830,000. The United States appropriated the sum of \$750,000 for the support of the consular service abroad, yet these consuls turn into the Treasury of the United States \$830,000, or \$80,000 more than the appropriation for their support, and the Secretary of State announces that "The consular service abroad is self-sustaining." He does not state, however, that it is sustained at the expense of the limited commerce which we have with foreign countries.

Now, I ask you to contrast the practice of the English Government. Last year the English Government appropriated the sum of \$1,300,000 for her consular service, while the entire sum in fees, etc., collected from English ships was only \$200,000. The English foreign trade is four times greater than our own, yet they only collect one-quarter the sum from her shipping that we did. What does this show? It shows, gentlemen, that the charges upon our foreign shipping are 1,200 per cent. higher than the same charges upon English shipping.

Amount tonnage dues collected 1875.....	\$1,014,045.05
Amount tonnage dues collected 1876.....	1,135,232.58
Amount tonnage dues collected 1877.....	1,227,299.82
Amount tonnage dues collected 1878.....	1,336,627.68
Amount tonnage dues collected 1879.....	1,462,267.97
Amount tonnage dues collected 1880.....	1,610,383.84
Amount tonnage dues collected 1881.....	1,588,823.87
Total.....	\$9,374,680.81
Expense of collecting same.....	70,000.00
Actual profit in seven years.....	\$9,304,680.81

MEASUREMENT LAWS UNJUST.

According to our present laws for the measurement of steam vessels, we measure the whole vessel, including officers' quarters, engine and boiler space and coal bunkers, and charge tonnage fees on all; while

all other nations measure only the net carrying capacity of the ship. This makes an extra charge against American ships in all parts of the world of $33\frac{1}{3}$ per cent. tonnage dues more than the ships of any other nation.

It affects the American ship during her time in service in the following manner:

While loading at her wharf, $33\frac{1}{3}$ per cent. more wharfage.

When in dry-dock for repairs, $33\frac{1}{3}$ per cent. more for dockage.

When going through the Suez Canal, $33\frac{1}{3}$ per cent. more for tonnage.

While laying up at wharf and not in service, $33\frac{1}{3}$ per cent. more expenses.

It seems that the American ship in foreign trade has been loaded down with all kinds of unnecessary burdens. Strange to say, the men who for fifteen years have been advocating *free ships as the only remedy* have never seen any of these difficulties, or, if they have, never suggested their removal. It is time for a change.

THE REMEDY SUGGESTED.

But it is asked, How can we ever hope to enter into the competition? What shall we do? I answer, The American mechanic, manufacturer and merchant, the American sailor, ask no protection for brains, push or ingenuity. All they ask is an equal chance in the competition. I have shown that dear capital, well-paid labor and high taxes cannot compete in manufacturing or ship-owning with low taxes, cheap labor and cheap capital.

1. For answer as to what we can do, look at what England did. With her iron interest well developed, able to build the iron ship cheaper than any other nation, with all the advantages of cheap labor, cheap capital and low taxation, she yet, to encourage and induce her ship-owners to build fast mail vessels to open up new markets, from 1840 to 1880 paid them \$222,000,000 in subsidy. France has aided her ship-owners for years, and only this year, finding it impossible to own a great merchant marine and buy it from England, passed a law offering a bounty for every iron steamship built in France—this encouragement being equal to \$7,000,000 a year, including the sums paid to those running French-built ships under the French flag. What is Germany talking of doing? Prince Bismarck, in a recent speech, recognized the wisdom of the new French policy, said it would "create for France a powerful navy, which may prove of effective

service in time of war," and declared that the "merchant service is the handmaid of all other industries—of agriculture and commerce. On the day when the freight trade is given over to foreigners," he therefore concluded, "a mortal blow will be dealt to all the industries of the country. These enterprises cannot dispense with Government aid, and this has always been afforded in a productive manner as soon as it was a question of paving the way for our traffic in distant markets. England has given the example of using mail steamers as the pioneers for the creation or expansion of commercial relations." These are the words of one of the keenest statesmen of Europe, and they are true words. We need ships to pave the way to traffic in new and distant markets, and, as Prince Bismarck says, these enterprises cannot dispense with a government policy of protection and encouragement.

THE KEY TO THE QUESTION.

2. *The key to unlock the world's commerce is the fast mail ship.* I have showed how England used it. How did the United States turn this key? The story is a pitiful one. Our Government has actually discriminated against ships engaged in the foreign trade as against the coasting. For instance, the ship in the coasting trade, if needed to carry the mails, is treated the same as railways, stage-coaches, or inland steamboats, and paid for the service performed; but if that ship be engaged in the foreign trade, and the Government desires to send a mail to a foreign country, the owner is obliged to take the mails and carry them to destination with little or no compensation therefor.

AN UNJUST LAW TO BE REPEALED.

I will read to you the *Statute Law* upon this subject:

U. S. REVISED STATUTES, Section 3,976.—The master of any vessel of the United States, bound from any port therein to any foreign port, or from any foreign port to any port in the United States, shall, before clearance, receive on board and securely convey all such mails as the Post Office Department or any diplomatic or consular agent abroad shall offer; and he shall promptly deliver the same, at the port of destination, to the proper officer, for which he shall receive *two cents* for every letter so delivered; and upon the entry of every such vessel returning from any foreign port, the master thereof shall make oath that he has promptly delivered all the mail placed on board said vessel before clearance from the United States; and if he fail to make such oath, the vessel shall not be entitled to the privileges of a vessel of the United States.

To ask relief from this unjust law is the means of raising a cry against the ship-owner of "subsidy beggar."

The following table will show you how this law operates against the American ship engaged in the foreign trade:

<i>Lines.</i>	<i>No. Ships.</i>	<i>Miles traveled.</i>	<i>Mail pay.</i>
New York to San Francisco, China, Japan, Australia and return.....	18	681,877	\$24,410
Brazil line, New York to St. Thomas, Para, Pernambuco, Bahia and Rio	3	140,000	1,875
Havana line, New York to Havana.....	3	128,960	2,444*
South Side line, New York to Santiago de Cuba.....	3	43,472	76*
Mexican line, New York to Vera Cruz.....	5	187,000	2,600
Totals.....	32	1,181,309	\$31,405

* The Havana Line had to pay \$600 for bringing mail from quarantine by special boat, and \$520 cost of delivery and collection, leaving a net mail earning of \$1,324. The South Side Line paid for mail expressage, in its sixteen trips, \$160, leaving a net loss for carrying the mails of \$83.06.

Contrast with this showing the following, which gives the amount paid annually to five lines which carry the mails in the coasting trade :

<i>Lines.</i>	<i>Miles traveled.</i>	<i>Mail pay.</i>
Galveston to Brashear, Texas.....	58,500	\$50,000
Cedar Keys to Key West, Florida.....	48,880	18,000
San Francisco to Portland, Oregon.....	69,680	25,000
Portland to Sitka.....	16,020	34,800
Portland to Astoria.....	54,880	14,906
Totals.....	247,960	\$142,706

Thus the account stands :

Lines in foreign trade carry mails 1,181,309 miles for.....	\$31,405
Lines in coasting trade carry mails 247,960 miles for.....	142,706
Lines in foreign trade carry more miles by 933,349 for less pay by.....	111,301

Or, counting by miles, the pay for carrying foreign mails is 2½ cents per mile, while for domestic mails it is 57½ cents per mile.

That is the discrimination we make against capital the moment it is put into the foreign trade. The Mexican Government alone pays \$134,000 a year for mail service to this country, or nearly as much as we pay for all our foreign mail service.

What had protection to do with this ?

HOW FRANCE TURNS THE KEY.

3. Look now to France, and see how she is turning this key. Having cheap capital, labor and taxation, she tried for years the policy urged by the "free-ship" men for us, namely, buying her ships from England. But she proved by experience that no nation can be a great shipping nation that cannot build its own ships. And so wise France is building up a powerful merchant marine (a new steamship line was formed within a fortnight) under this law granting bounties to ships :

There will be paid for all steam and sailing vessels launched after passage of this bill, excepting fishing vessels, yachts, and steamers now receiving a subsidy, as follows :

Thirty cents per ton for every mile run, to be reduced each year as follows : 1½c. per ton for wooden vessels ; 1½c. per ton for composite vessels ; 1c. per ton for iron vessels The

vessels to be used by the Government in case of war; and the above premium to be increased 15 per cent. where designs are submitted to and approved by the Navy Department.

Where materials are imported for the construction of vessels, there will be allowed to ship-builders, in place of the duties paid upon materials, for every registered ton of iron or steel, \$12; for wooden vessels of over 200 tons, \$4; for composite vessels, \$8; for wooden vessels under 200 tons, \$2. For all the pumps, machinery, etc., required, \$2.40 for every 220 pounds. All vessels transformed to increased tonnage after the passage of this bill will be allowed the same premium as for new vessels on the increased tonnage.

To give you a practical illustration of this new French bounty law, I will apply it to a 3,000-ton iron ship. The bounty would be: On building—Weight of iron in hull, 1,800 tons, at \$12, \$21,600; weight of machinery, 500 tons, at \$24.43, \$12,615; total, \$34,215. Then there is allowed 30c. per ton for every 1,000 miles run, after being put in service, for first year, diminishing 1c. per mile each year thereafter.

Presuming the above 3,000-ton steamer makes ten trips from Havre to New York per annum, or 60,000 miles; this gives for first year's service as follows: 3,000 tons, at 30c. = $\$900 \times 60 = \$54,000$; and second year's service, \$52,000. This will expire entirely at the end of thirty years.

Adding the bounty and the allowance per mile, the law would grant the 3,000-ton ship the first year \$89,015. The French Government for this requires in return the carrying of its mails, and the right to use the ships in case of war, taking them at a fair valuation. Though this law seems an expensive one, yet it furnishes France with a cheap navy, and the best it ever had.

This law met with the severest criticism from the English press while it was under discussion in France, and it is said that the English Ambassador in France wrote home to know if it did not conflict with the treaty between France and England. And now, since the law could not be defeated, English capital is going over to France to build ships there. Under this law France, in seven years, will be able to hold the same control over the carrying trade of South America and the Pacific that England does on the North Atlantic. This France will be doing while we are wasting our time discussing "free ships" and subsidy, and paying nothing for carrying the mails; and the result, if we allow that to be done, will be that we will be left with our coasting trade, and with nothing else. If we allow the present chance to put American ships into the South American carrying trade to slip away from us, it will not be left open to us long.

Suppose that this law brought into use under the French flag 100 3,000-ton ships. To keep those ships in use for thirty years the

French Government would pay, on an average for thirty years, about \$2,500,000 per year. Those ships would employ under the law ten thousand officers, sailors and engineers, and those ships would make a navy, as far as ships are concerned, superior to our present navy.

THE GOOD RESULTS TO FRANCE.

France understands that this law is a law of great economy in the matter of building up her navy, and besides, these ships carry the French mails to all parts of the world. The price of mail service deducted from the amount paid for these ships reduces the sum to a very low figure. Besides this, the ships constructed in France make an expenditure of \$50,000,000, of which 90 per cent. is paid out for labor to the French workingman in developing the industries of France. Also, it gives employment to 10,000 sailors during the life of the ship, and the ship's gross earning each year is 60 per cent. of the original cost, mostly to be spent in France. Sum this all up, and you will find that it is sowing seed which will produce a rich harvest.

THE ONLY WAY TO OWN IS TO BUILD AT HOME.

The drain consequent upon buying ships abroad proves too great to be borne. Could England ever have owned and maintained her \$574,000,000 worth of ships if she had had to buy them from another country? To keep this fleet up, not counting the annual cost of repairs, to build the new ships required to replace those lost and worn out, and to meet the demands of increased trade, costs not less than 10 per cent. of the whole value, or \$57,000,000 yearly. Could any nation expect to maintain such a mighty interest as this if, instead of being able to build its ships and tools, it was dependent upon another nation for them, and must annually send millions upon millions abroad to support the working people of that other nation? Could we afford to own such a fleet if we had bought it abroad? Could we pay out annually the millions necessary to keep it renewed? What effect would the taking of that great amount of labor out of our market have upon that market, and what effect in comparison upon the market which we favored with it? These questions are of deep importance in seeking a solution of our shipping problem. It should be our ambition to occupy the place that properly belongs to us on the ocean. To do that would require an outlay of \$200,000,000 of capital within the next ten years; and the constant increase of our surplus products for export would render necessary an increased outlay year by year,

with the sums needed for renewal added. Could we send that vast amount out of this country, and could we forever keep sending it out? No; that capital is labor, and no country that cannot build ships can afford to own them.

THE FREE MATERIAL FALLACY.

A few words now on the question of free material, which is constantly agitated. It is asked, what would be the effect upon our shipping of allowing raw material for the ship to come in free of duty, as under sections 2,513 and 2,514?

No effect at all. I have made it clear that we do not build ships for the foreign trade simply because our merchants cannot run them there. In the first place, I can say this, that though I have built vessels for the foreign trade to the extent of \$10,000,000 since this law was enacted, I have never once made use of it. And I believe I should not be so foolish as not to do so if it were to any advantage. The whole thing is a sham.

It is a favorite argument with some, that a ship's cost is 95 per cent. for material and 5 for labor, instead of the exact reverse. The labor, which makes up 95 per cent. of the cost, *is* free. As for free material, I have studied every way practicable to see how near we could come to compete with Great Britain in the product of the ship. In 1872, when I undertook to build some large ships, the rolling mills did not exist in this country that could make the angles, plates and beams required. I then had to pay £12 10s. in gold for plates, £11 10s. for angles, £1 per ton freight by steam, and 5 per cent. commission. This satisfied me of the folly of a man's trying to bring a distance of three thousand five hundred miles the heavy material required for a ship, paying freight and commissions, and putting that material into a ship, at our high rates of labor, in competition with a man whose ship-yard is close by where the material is produced, and who has cheaper labor, no freight or commission to pay, and lower rates of taxation.

From the Clyde to the Delaware or Hudson is over three thousand miles. The impractical man tells the American ship-builder that the thing he needs to enable him to build ships is to bring the material from the Clyde and put it into ships in competition with the ship-builder over there. Now, who would think of taking the iron from the Delaware to the Kennebec—a vastly shorter distance—and asking the builder there to put it into iron ships in competition with the iron

ship-builder on the Delaware, who had no freight to pay? Or how would think of bringing wood from Maine to Delaware to build wooden ships in competition with the Maine builders? The idea is so preposterous that no practical man would entertain it. It is plain that the freight and commission paid by the American builder in bringing material from the Clyde would be a large profit for the English builder. Why, even the short distance from the Clyde to the Thames was so much of a disadvantage that it broke up the ship-yards on the Thames, and the builders there had to move up to the Clyde in order to join in the competition. If builders with all other conditions equal could not stand a few miles' freightage, how could we hope to compete when obliged to bring material over three thousand miles? Why did not England succeed when she imported the wood from us free, with cheaper capital and labor?

Again, I would like to ask the theorist how far advanced this material would be, when it arrived in this country, toward a finished ship? It must go through several processes, from the ore to the pig, from the pig to puddled blooms, thence into rolled muck-bars, thence into plates, angles, bars and beams. These last shapes are the most advanced until it is put into the ships, yet from this advanced stage there is yet 60 per cent. of the 95 per cent. labor to be expended before it is wrought into the finished ship. How does the advocate of free material propose to aid the American builder to meet his competitor on the Clyde who pays for this 60 per cent. of labor 50 per cent. less than the American builder, while in addition the American builder has to pay freight and commission where the Clyde builder has the material at home? Would this in any case be a just law?

THE DANGER OF DEPENDENCE ON FOREIGNERS.

Our surplus products sent by ship to foreign markets amounted in 1870 to about 2,500,000 tons; in 1880 to over 15,000,000 tons, valued at \$1,589,472,093; and in 1890, at anything like a proportionate increase, will be upward of 50,000,000 tons. We have for many years been paying from \$70,000,000 to \$100,000,000 a year in freight money to foreign carriers, are now paying \$140,000,000, and this amount must increase proportionately with our exports. Our products are carried almost entirely in foreign bottoms, and are, therefore, liable at any time to be endangered by foreign complications. Suppose the three nations which are doing the principal part of our

carrying—England, France and Germany—should become involved in war. The first thing would be to attack each other's ships, and in destroying those ships destroy our products. We might then have the unpleasant experience of seeing the fleets of hostile nations lying in wait off Sandy Hook to prey upon any ship that ventured to put out to sea loaded with our cargoes. What means have we to guard this great interest? What redress could national law give us in such a case? What could we do to secure the carrying of our products, having no ships of our own, nor the skilled labor to produce them, and being unable to buy them of England in such emergency? What danger should we then be in through pursuing a policy of dependence upon foreign carriers and ship-builders? Would we for a moment allow our railroad system of transportation to be subject to such risks and chances? Yet is not the steamship line simply the continuation of the trunk-line road to market? We cannot be safe unless the whole road is equally under our control at all times. Has the United States to-day this control or the power to procure it in case of sudden requirement? In this I have only pointed out what would be our condition if we were not directly involved in the war. I need not comment on what our condition would be if we were a party to it.

We have, it is true, a comparatively small amount of tonnage left in the foreign trade. But what protection has Government even for the little that is left? The mention of our navy only excites a smile. We have practically no means of protection whatever for any of these national interests. We could not to-day properly repulse an attack made by the weakest naval power of Europe. To face the fact squarely is the surest way to a remedy.

Italy has been thoroughly investigating her shipping decline, and the commission has decided that home ship-building must be encouraged if anything is to be done; and so will recommend a bounty law similar to that of France, with so much pay per mile for every mile run in the general lines of trade.

IN WHOSE INTEREST IS THE FREE-SHIP ADVOCATE WORKING?

If we take our true position on the ocean, what will be our future wants? I have showed that we now need an investment of \$75,000,000 in ships to enable us to take our fair share of the carrying of our own products. At the prospective rate of increase to 50,000,000 tons to be carried in 1890, we should by that time require \$75,000,000 more capital invested in fast iron steamers in the foreign trade to keep up

our share in carrying the increased product. Ninety per cent. of this \$150,000,000 put into ships represents labor. If we buy these ships abroad we part with the 90 per cent. and lose the profits, and are still just as dependent on foreigners for ships as when we begun. If we introduce the policy of free material the forms and shapes in which this material would come would be equal to one-half the cost of the ship, and we should send 90 per cent. of that amount to support foreign labor, and to encourage the development of all the varieties of mechanical arts required to bring the ore into these forms and shapes. In both cases we should simply be taking the money from American labor and giving it to foreign labor, aiding also thereby to train for a foreign nation skilled workmen.

Strange to say, both the free-ship and the free-material advocate are alike in favor of England, for England is the only nation that we can purchase either ships or material from. All the suggestions that have come before the Commission from the free-ship or free-material men are such as would, if carried out, make us dependent, now and continuously, upon England, and are such as look not toward our but her advantage and benefit and upbuilding. This fact is at least significant enough to be worth notice.

JOHN ROACH.

A PICTURE OF NORTHWESTERN DEVELOPMENT.

ON the 6th of May, 1812, Congress passed a law setting apart for the soldiers of the second war with Great Britain six million acres of land, one-third to be surveyed in the Territory of Michigan. The result was a report to the Commissioner of the General Land Office from the Surveyor-General of Ohio, under date of "Chillicothe, November 30, 1815," in which the "military lands of Michigan," situated in the southeastern part of its lower peninsula, were described as abounding in "swamps and lakes," which formed "probably near one-half of the country," "the intermediate space" being "with very few exceptions a poor, barren, sandy land, with scarcely any vegetation except very small scrubby oaks." The report admitted that "in the eastern part" there was less marsh, but added that "the extreme sterility and barrenness of the soil continued." The summing up of this official opinion was given in this sentence: "The country taken

altogether, so far as has been explored and to all appearances, together with the information received concerning the balance, is so bad there would not be more than one acre out of one hundred, if there would be one out of one thousand, that would in any case admit of cultivation." A patriotic Congress came promptly to the relief of the veterans thus threatened with the burdensome ownership of a desert relieved only by morasses, and enacted that two million acres should be selected for them in Illinois and Missouri, instead of in Michigan. Seventy years have not yet passed, but the lands which were thus pronounced too poor to give away have already enriched tens of thousands of farmers. Within their boundaries is situated a county (Oakland) which in the census of 1870 ranked sixth in the Union and second in the West in the value of agricultural products. They have become part of the garden of a State which, with more than half of its arable surface still untouched by the plow, cannot be surpassed in the great fertile region between the Alleghanies and the Rocky Mountains in either the variety or the profitableness of its agriculture. The extent to which the improved lands of Michigan exceed those of any other Western State in the pecuniary returns with which they repay cultivation is shown in this table, prepared from the compilations made by Mr. R. P. Porter, of Washington, in his work upon "The West," from the reports of the United States Department of Agriculture. It gives the average annual value per acre for each of the Western States of the eight principal crops raised by them in the five years ending with 1879:

<i>States.</i>	<i>Corn.</i>	<i>Wheat.</i>	<i>Rye.</i>	<i>Oats.</i>	<i>Barley.</i>	<i>Buck-wheat.</i>	<i>Potatoes</i>	<i>Hay.</i>
Michigan.....	\$15.63	\$17.76	\$9.55	\$12.04	\$16.87	\$10.07	\$38.00	\$13.63
Ohio	13.37	16.25	9.44	8.76	18.15	10.07	37.77	11.32
Illinois	9.08	13.11	9.19	7.53	14.09	11.25	40.49	10.21
Indiana	10.74	14.60	9.17	7.28	17.56	13.59	32.74	10.81
Wisconsin	12.12	11.43	9.21	9.92	17.45	9.38	32.94	11.07
Minnesota	10.78	11.35	9.88	9.72	14.18	9.81	32.91	7.19
Iowa	8.03	7.81	6.63	7.09	9.92	11.54	36.38	6.90
Missouri	8.38	11.01	8.45	6.52	14.45	11.07	36.88	11.01
Kansas	8.53	11.56	8.24	6.87	9.05	12.98	45.59	5.66
Nebraska.....	7.65	8.60	5.24	6.51	7.85	13.97	29.85	5.44

It appears by these figures that from the four great staples of wheat, corn, oats and hay the farmers of Michigan realize more per acre than those of any other Western State, while their earnings are also among the largest in the remaining columns of the table. In contributing to this result the fertility of the soil and the quality of the product are undoubtedly aided by Michigan's peculiarly advantageous situation, in

easy command of the great competing highways of water and rail transportation between the interior of the continent and the Atlantic seaboard. Still, after due allowance has been made for this influence of cheaper freights, the force of the comparison remains unbroken. Other striking figures may be added. The census of 1880 shows Michigan to have been the fourth State in the amount of wheat raised during the census year, and in the yield of wheat to the acre it surpassed every State except Colorado, whose entire crop was less than 1,500,000 of bushels, cultivated by the costly method of irrigation. It lies north of all the other winter-wheat States, but its climate is tempered by the equalizing influences of the inland seas, which almost surround its peninsulas, and in quality its winter wheat is unequaled. It is the fourth wool-producing State. All the cereals and all the vegetables of the temperate zone flourish in its soil. Not only is it the fruit State of the Northwest, but California alone offers a more favorable field to horticulture in all its grades, while the southern half of its lower peninsula leads the Union in the proportion of its cultivated lands given to orchards. The statistics of the census and the estimates of the National Department of Agriculture show that in the census year the products of the farms of Michigan—its grain, hay, fruit, potatoes, wool, live stock, butter, milk, cheese, eggs, vegetables and seeds—exceeded in value \$100,000,000, a sum not only \$20,000,000 larger than the total of the silver and gold mined in the United States in the same period, but greater than the heaviest bullion yield of any twelve months in the history of American mining. These figures mark the agricultural development in less than a biblical lifetime of a State originally believed to be exceptional in its sterility; and this development it has reached with its territory not half settled and the real extent of its resources still unknown.

The census-takers of 1820 reported the population of the Territory of Michigan at 8,765. Even these figures were swollen by including in the enumeration the United States military posts in Wisconsin and Northern Minnesota, as well as at Fort Mackinac and Fort Gratiot. In the lower peninsula there were small settlements at Detroit, Frenchtown (now Monroe), Mount Clemens and St. Clair. The upper peninsula was an absolute wilderness, visited only by infrequent exploring expeditions and the adventurous fur-buyers who laid the foundations of the Astor fortune. The opening of the Erie Canal, in 1825, gave an impetus to Western immigration, and the search of shrewd pioneers soon found in the lands west of the Detroit River that promise of fer-

tility which had been officially declared to be lacking. The territorial census of 1834, taken to demonstrate the presence of the "60,000 free inhabitants," without which no subdivision of the original Northwest Territory could become a State, yielded a footing of 87,273, of whom 65,000 were grouped in the few southeastern counties, while less than 1,000 were found in the upper peninsula. Michigan was admitted to the Union in 1837, and its semi-centennial birthday as a State is still in the future; but the census of 1880 showed the presence within its borders of 1,636,937 persons. The population of the upper peninsula (85,085), with its thriving mining districts, was almost equal to that of the entire Territory in 1834. A quarter of a million of people were pioneering along the shores and in the forests of the lower peninsula, above the valleys of the Saginaw and the Grand rivers, while south of that natural dividing line 1,250,000 were clustered in growing cities and villages, or tilling the fertile soil of over 100,000 farms. From the twenty-third (census of 1840) it had risen to the ninth place in point of population, having passed fourteen of the older States, while none of the younger commonwealths had overtaken it. If the present ratio of growth continues, the census of 1890 will find Michigan (accompanied by Iowa and Texas) leading both Kentucky and Massachusetts, and disputing the sixth place with Indiana. The evidences that this remarkable growth is more than a mere increase in numbers or development of money-making enterprise are to be found in the high average intelligence of the people of Michigan, the public spirit of its communities, the general excellence of its press, its numerous and well-equipped benevolent associations, and its admirable system of free public education.

At the time of the admission of the State there had grown up some conception of the agricultural possibilities of its soil, but there was no adequate appreciation of its other great resources. There was a general knowledge of the breadth and density of its forests, and each important settlement had its saw-mill which supplied the local demand for building material, but no man dreamed that the northern part of the lower peninsula surpassed any known region of the same area in the richness of its stock of timber. Ten years elapsed before even the people of the new State began to realize the extent of the wealth within their reach. In 1847 the first shipment of clear lumber was sent from Saginaw to Albany, and there its superior quality attracted an attention which promptly stimulated inquiry and exploration. The Saginaw River, with tributaries more than fifteen hundred miles in

length, drains a region larger than Connecticut and Rhode Island, and along its branches and their headwaters were found immense tracts of magnificent pines. Lumbermen from the failing pineries of New England and the Middle States, shrewd capitalists and enterprising pioneers began briskly the work of development, and within ten years the mills of Michigan were sawing annually over 500,000,000 feet. According to the census of 1880 that State's cut of lumber had during the preceding year reached the enormous amount of 4,172,572,000 feet, nearly one-quarter of the entire product of the Union and more than double the total of any other State. In 1881 its manufacture of pine alone yielded 3,919,500,000 feet, sufficient to girdle the earth at the equator with an inch floor over twenty-five feet in width, or to build a city of two hundred thousand dwellings, which would supply a million persons with comfortable homes. Moreover, this aggregate does not include the shingles, lath, staves and heading, square and long timber, railroad ties, telegraph poles, hemlock bark, cord-wood, charcoal stock, and large quantities of valuable hard-wood cut and sold in the same period. The pine lumber manufactured in Michigan up to the close of 1881 exceeded 55,000,000,000 feet. Placed upon cars in the usual manner it would load a train which would more than reach around the world. Sawed into one-inch boards it would cover a bridge over thirty feet in width from the earth to the moon. It is estimated that the value of the Michigan timber of all kinds thus far marketed is more than \$1,000,000,000. The history of California gold-mining is commonly regarded as the most marvelous chapter in the annals of Western development, but the famous placers and quartz veins, which have drawn to the Pacific coast tens of thousands of men from all walks of life and from every continent, have yielded but little more bullion than would have been required to buy the forest products in the past of the still unexhausted woodlands of Michigan.

The Indians obtained salt from the saline springs of the Saginaw Valley long before the first white settlers built their cabins on the shores of the great lakes. The National Government withheld from sale the sections of public lands containing the principal of these fountains of natural brine, but made no adequate effort to ascertain the character of the subterranean reservoirs in which they found their origin, and Michigan came into the Union with salt-making regarded by even its more sanguine citizens only as a shadowy possibility and not as a certain source of wealth awaiting development. The infant

State, following the counsels of its accomplished geologist, Dr. Douglass Houghton, attempted to demonstrate the commercial value of its saline resources by deep borings at promising points. The first results were disappointing, and financial embarrassments and the death of Dr. Houghton soon led to the final abandonment of the work by the Government. Nearly a score of years elapsed before private enterprise succeeded where official action had failed. In 1859 the East Saginaw Salt Manufacturing Company was formed, and with improved machinery began a skillful, systematic and resolute effort to ascertain the real character of the Saginaw salt deposits. At the depth of two hundred feet the well yielded a weak brine, which steadily increased in strength as the drill penetrated the successive rock strata. In March, 1860, brine which marked ninety degrees on the salometer was found at a depth of 639 feet, and early in the ensuing summer the manufacture of salt was added to the industries of Michigan. Experiment soon showed that this brine of remarkable strength was also inexhaustible in supply; that its pumping and evaporation could be accomplished at the minimum of cost in connection with the saw-mills; that cooperage was cheap amid those vast forests, and that the lakes offered the most economical means of transportation. The rapid and healthy growth which followed has been without interruption, and in the census of 1880 Michigan was the largest salt-manufacturing State. Its product was nearly one-half that of the entire Union, and double that of any single State, while the average strength of its brine was $91\frac{1}{4}^{\circ}$, that of Onondaga being but $69\frac{1}{2}^{\circ}$ and of Kanawha $35\frac{3}{4}^{\circ}$. In 1881 its wells yielded 2,750,000 barrels, of which 98 per cent. passed inspection as first quality. They are two hundred in number, and are to be found in the Saginaw Valley, along the banks of Saginaw Bay, and at Manistee, on the Lake Michigan shore. They vary from six hundred to two thousand feet in depth, and can be pumped at the rate of from twelve to twenty gallons per minute. As the salt-producing territory of Michigan already geologically developed covers eight thousand square miles, and as other saline reservoirs have been found underlying what is popularly known as the Saginaw basin, it is manifestly impossible to set limits to the future growth of this important interest.

The upper peninsula of Michigan is geographically united to Wisconsin. That its political do not correspond with its natural relations is due to a prolonged dispute between Michigan and Ohio as to their common boundary line, each claiming a narrow strip of territory including and west of the present city of Toledo. At one stage of this

controversy the militia were ordered out on both sides, and there were dire threatenings of civil strife, although in the end, to quote the contemporaneous description of a frontier orator, "the only results of the great 'Toledo war' were the death of one horse and the fright of an old woman." In 1835 Michigan applied for admission to the Union. In 1836 Congress passed an act sustaining Ohio's claim to the Toledo district, adding the remote and unknown upper peninsula to Michigan, and making the latter's admission contingent upon the formal assent of its people to these boundaries. This new territory was given not as possessing intrinsic value, but to pacify an angry community, and it was rejected as an insult added to a theft. Michigan preferred the acres of the Maumee Valley to the square miles of the Lake Superior shore, and treated the congressional offer as California would deal with a proposition to exchange the San Francisco basin for the Alaskan peninsula. The only regularly-elected convention indignantly rejected the conditions of the enabling act. Still, the political and other advantages of membership of the Union were not to be despised, and ultimately the friends of admission, stigmatized in the party jargon of the day as "submissionists," without any lawful authority—and also without resistance from their opponents, who treated the whole proceedings as void—chose delegates to a second convention, which accepted the terms proposed by Congress. That body in turn treated this more than dubious action as a spontaneous expression of the will of the people, and recognized the new State by seating its representatives. That copper was to be found in the mountain ranges of "the Siberia of Michigan," as the unwelcome upper peninsula was called, had been known for two centuries. The *Relations* of the Jesuit missionaries make frequent mention of its presence, and as early as 1770 some British adventurers had unsuccessfully attempted its mining on the banks of the Ontonagon. More recent explorations had also led to the discovery of large masses of pure copper exposed in the surface, but the actual significance of these indications was still absolutely unknown. Even as late as 1840 a Michigan Senator, in replying to Henry Clay's description of the projected ship canal around the Falls of Ste. Marie as "a work beyond the range of the remotest settlements in the United States or in the moon," advocated a grant of lands in its aid chiefly because the canal would stimulate the fisheries of Lake Superior, valued then at \$1,000,000 annually, adding, as a minor consideration, that "on the southern shore copper ore and other minerals are believed to exist in

abundance." It was not until one year later that Dr. Houghton's first report directed the attention of prospectors and capitalists to this new field of enterprise, and the State was ten years old before the steadily remunerative character of work upon the celebrated Cliff fissure vein proved the tempting profitableness of Lake Superior mining. To-day Michigan copper commands the markets of the world for all uses requiring the highest degree of tenacity, and the estimated value of the State's yield up to the close of 1881 was \$150,000,000. One-third of this came from the conglomerate of the Calumet and Hecla, the richest and the largest copper mine ever known, which has assessed its shareholders for all purposes less than \$1,000,000, and which has paid them in dividends over \$20,000,000, possesses a plant and surface improvements superior to those of any mine in the world, and supports a community of over five thousand souls on a "location" which, twenty years ago, was an unbroken wilderness. In the annual production of this metal Michigan is now second to Chili only.

That the mountains of the upper peninsula concealed valuable deposits of iron ore was not suspected until some years after the admission of the State. Even Dr. Houghton's report in 1841 mentioned the finding of hematite ore only to pronounce the discovery of no "practical importance." In 1844 the Government surveyors at work on the present site of Negaunee had their attention drawn to outcroppings of magnetic ore by the variations of the needles of their solar compasses. In the following year a party searching at the same place for copper discovered the presence of large quantities of iron ore of workable quality, and they organized the first mine (the Jackson). Ten years more elapsed before Lake Superior iron mining became firmly established, and it was not until 1860 that the annual output of the district reached 100,000 tons. The yield of 1881 was 2,321,315 tons, exceeding that of any American State in value, although Pennsylvania's tonnage may possibly have been greater. The Michigan ore has been found to be of unusual richness, and it has been proved that its supply is practically inexhaustible; the value of that already converted into metal is estimated at \$138,500,000. The iron mines—three of them, the Chapin, the Republic and the Lake Superior, surpass any of their class in extent and productiveness—are as a rule profitable, and their dividends in 1881 are safely estimated at not less than \$8,000,000, a sum greater than the dividends paid during the same period by the gold and silver mines of the United States, and amounting to 1,200 per cent. on the capital stock of the operating companies.

In this picture of Northwestern development, sketched only in rough outline, are broad spaces yet to be filled in by the future. Already "stump lands," partially cleared by the axes of the lumbermen, have been made into fertile farms, and the prize wheat of recent State fairs has come from remote settlements in the upper peninsula not yet five years old. An agriculture which thus subdues pineries and defies the rigors of a Lake Superior winter, is still far from the limits of its growth. In the fruit belt but a fraction of the land available for the cultivation of even the tenderer varieties has been improved. Although the unprecedented scale of the lumbering operations is steadily making vast inroads into the standing pine, tens of thousands of acres are still untouched, while it is an important fact that trees once passed by as too small for profitable handling, now pay well for cutting. The hard-wood forests of Michigan are also of large area, and with the lessening of the supply of pine the other valuable timber of the State will receive greater attention, and its manufacture will for many years constitute an important and prosperous industry. Salt-making is unquestionably in its infancy. Not a thousandth part of the copper range has been minutely explored. The latest discoveries of iron are the richest, and there are vast deposits of "lean ores" left untouched about the old openings, which, with improved mining methods and better means of transportation, will be profitably marketed. Coal, peat, building stone, slate and marble are undeveloped natural resources already giving promise of importance. What may be added to them by discovery is a theme which tempts the imagination to an ambitious flight in dealing with a State possessing interests so varied, so great, and yet of such brief history.

CHARLES K. BACKUS.

EXTRA-TERRITORIAL TAXATION.

A TALE is told of a certain German professor and statesman, which, if not true of him, is eminently characteristic of the modes of thought of the ordinary legislator. In the course of his lectures upon finance, which are among the most popular of those delivered at the celebrated university where he is installed, it is said, that he is accustomed to divide taxable property into two classes—

that which is in territory under control of a State, and that which is beyond such territory, but is owned by persons who are under its control, whether its subjects or foreigners dwelling within; and then, after enumerating the different methods and advantages to be obtained from taxing each, to say: "There remains still another kind of property, which would be a lucrative source of revenue to the State, and upon which heavy charges could be laid without any diminution to the wealth of the State which imposes them. This would long since have been utilized for direct taxation were it not that no means have hitherto been discovered whereby such taxes laid upon it can be collected. I refer to property situated beyond the borders and in territory not under the control of a State, and owned by persons who neither are its subjects nor dwell within it. If any of you young gentlemen can devise a means of enforcing such taxation, he will deserve well of his country and of mankind."

This third class of property still remains here, as in Germany, free from the demands of a foreign tax-gatherer. But the increased weight of taxation rendered necessary by the debts incurred to meet the expenses of the Civil War, and the extravagant enterprises entered into under the stimulus of an inflated currency by the individual members of the United States immediately after the restoration of peace, have compelled their Legislatures to search how to diffuse its burden as widely as possible, and it is not at all surprising that they have imposed taxes upon the second.

Their action in this respect has been opposed and criticized with great ability. They have been accused of violating both the Constitution of the United States and the laws of political economy, by which latter phrase is probably meant that they are injuring the well-being of the nation and of the communities which they govern.

The constitutionality of their action is no longer questionable, except by those individuals who claim that their own whims about the construction of the Constitution are entitled to more respect than its interpretation by that tribunal to which its makers intrusted that power. Two years ago the case of *Kirtland against Hotchkiss*¹ was brought before the Supreme Court of the United States by an appeal from the Supreme Court of Errors of Connecticut, when, although a most elaborate argument was made in favor of the appellant, and the respondent made no effort in his own behalf, the justices unanimously affirmed the judgment of the lower court, holding that that State had

¹ Reported 100 U. S., page 491.

the power to compel Mr. Kirtland, who dwelt within its borders, to pay a tax upon a bond and mortgage owned by him, but made by a citizen of Illinois and creating a lien upon Illinois land, the documents necessary to prove the title to which were in the latter State. And at this very term two decisions¹ reaffirming that doctrine have been made, one, *Nevada Bank against Sedgwick*, holding that the United States has the power to thus tax property "invested abroad and in foreign countries" by a person within its jurisdiction; and the other, *Bonaparte against Baltimore*, that one State can in the same way levy a tax upon the bonds of another owned by one of its own citizens, even though that other has passed a statute expressly exempting them from taxation.

Nor are these decisions at all discordant with the established principles of constitutional construction. At their argument but three points were seriously pressed upon the attention of the Court, the first only of which was applicable to the act of Congress.

Taxation, it was said, is correlative with protection, otherwise it is unjust and void; so, as the property sought to be taxed here, being beyond the borders, is not within the protection of the sovereignty levying the tax, it cannot, therefore, be taxed by it. But, even admitting that the proposition that there must be a correlation between taxation and protection, could with propriety be engrafted by judicial construction into the Constitution a doctrine which is not supported by authority; it must be remembered that the protection given by a State extends to both the persons and the property of its subjects; that the protection to the former is fully as important as that given to the latter, and that nothing in the Federal Constitution,² at least, forbids the estimation of the contribution to be paid in return for that protection by the means of the individual protected, while the fact that such a tax is not called a poll-tax in the act imposing it does not change its nature if it is aimed at individuals rather than at property.

The other two objections, that such a tax amounts to a regulation and hindrance to commerce by impeding the loaning of money between different States, and thus also to an infringement of that vague class of rights which are, though not expressed in the Constitution, said to be guaranteed by it to the inhabitants of the United

¹ Neither of them has yet been reported.

² See the language of Mr. Justice Harlan in *Kirtland v. Hotchkiss*, 100 U. S. 491, at page 499. *Paul v. Virginia*, 8 Wallace, 168; *Doyle v. Continental Life Insurance Company*, 94 U. S., 535.

States, had been substantially disposed of in previous two cases holding that a state has the power to prohibit its citizens from taking out policies of fire or life insurance from a corporation created by another State, which practically amounts to investing money for that purpose beyond its borders.

It is impossible to foretell with certainty the decision upon any point of constitutional law by a tribunal the composition of which changes so often as does that of the Supreme Court of the United States, and the adherence of whose members to the rule that, when there are two equally plausible constructions of the Constitution, that which is most in accordance with their views of public policy should be adopted, together with their refusal, since their action in cases of such a character would otherwise only be reviewed by an amendment to the Constitution. To follow the custom of the highest tribunal in England, the House of Lords, which never allows a point it has once decided to be argued before it again, has often caused them to shrink from the logical result of conclusions, and either reverse or emasculate by what is technically known as distinction in their own or their predecessors' decisions, so that even that one which is most familiar to laymen by name, and which those who are ignorant of the contents of both usually refer to with the same awe and admiration with which they speak of *Magna Charta*, the *Dartmouth College* case has been so modified as to be now almost nugatory.¹

But one of the best-known canons of constitutional construction has hitherto been, with but very few exceptions, consistently upheld. It is that summed up in the expression that the power to tax implies the power to destroy, which was first formulated by Chief Justice Marshall, during Monroe's Administration, in the case² when the constitutionality of the creation of the United States Bank was sustained, and which when expanded means that if a State or the National Government holds under the Constitution the power to in any way tax it must also possess the power to forbid the ownership of a thing or the performance of an act. Moreover, no one who has read with care the decisions of the Supreme Court of the United States during the last ten years can have failed to observe the great reluctance with which it declares State laws imposing taxes unconstitutional, a reluctance which, at its present term, has induced it to prac-

¹ See *Burr Company vs. Massachusetts*, 97 U. S., 25; *Fertilizing Company vs. Hyde Park*, 97 U. S., 659; *Stone vs. Mississippi*, 101 U. S., 814.

² *McCulloch v. Maryland*, 4 Wheaton, 431.

tically overrule¹ a leading case, *Dodge* against *Woolsey*,² which had long been used as a convenient screen for the transfer from the State to the Federal courts of the investigation of their validity under State constitutions.

So, it can be said with reasonable confidence, that henceforth every statute, whether State or National, which prohibits, interferes with, or burdens with taxation the investment by the citizens of the sovereignty enacting it of money in other States or nations, will be upheld by our highest tribunal.

There remains, therefore, no ground of objection, save their lack of expediency, to the passage of such laws. And as soon as the knowledge of these decisions reaches the members of our State Legislatures, which may take some time—since it is usually as difficult for them to learn constitutional law as political economy—we may expect to see the introduction in them of bills attempting to discriminate by taxation against the investment of capital in other States. Congress is not likely soon to be urged to pass one. Its members must for some time devote themselves to planning how to rid us, without any evil resulting from the shock of freedom, from the vast mass of taxation that was rendered necessary during the Civil War; and, moreover, until the recent Mexican enterprises very little American capital has been invested abroad. But with the individual States it is otherwise. Their present difficulty is, not how to dispose of a surplus, but how to raise the necessary amount of taxation. In their eagerness to fill the State treasuries, the Legislatures of many of them have grasped at the capital employed within their borders with such rapacity that had it not been for their want of skill in the art of penning statutes, which enables most persons who can afford to take legal counsel to laugh at the assessors of personal property, they would have inevitably driven it away, and now that they have made clear to them a means of revenue, the first use of which will tend to keep capital at home, one can hardly doubt that some will hasten to adopt it.

Its apparent advantages are very plausible. By the discouragement of foreign investments, which are made less profitable to the extent of the tax thus laid upon them, it on the one hand causes many who would otherwise have employed their wealth in the improvement of other States to help foster the industries and enter-

¹ *Hawes v. Contavista Water Company*, not yet reported.

² Reported 18 Howard, at page 331.

prises about them ; while on the other it supports the expenses of governing a State without seeming to diminish any of the wealth within it. It also panders to the proletarian spirit which so frequently manifests itself in clamor for usury laws, a deluge of paper money and other devices to disguise robbery, since it is a tax that can only fall upon the rich and enterprising.

The arguments most commonly urged against its use are little likely to influence them. The supposed iniquity of thus exposing property to double taxation they, like most others, will fail to see, since it can be always avoided by a man's ceasing to invest abroad. The inevitable evils resulting from a measure which has such a tendency to denationalize the United States and produce discord among its individual members, are likely to be little heeded in communities where the spirit of local jealousy is so strong that it has resulted in the passage of such barbarous laws¹ to prevent corporations created elsewhere from removing suits brought against them to the Federal courts as are to be found upon the statute books of some of our western States ; or cause so many unsuccessful attempts by legislatures in the West and South to deny the citizens of other States the rights, privileges and immunities allowed by them to their own, which the Supreme Court of the United States has been each time called upon to repress ; or has compelled their own State governments to pass laws² obliging them to allow their fellow-citizens the same rights which the Constitution guaranteed to strangers.

As long as they see that a revenue can be derived therefrom they are not likely to either read or listen to, even if they are capable of understanding, metaphysical arguments maintaining that one man's claims against another should not be taxed, because they are not property. And one of the chief arguments against the taxation of intangible personal property, that on account of the ease with which its existence is concealed, an ease which in this case is even greater than ordinary, it offers a premium to fraud at the expense of honesty, and bears with peculiar severity upon the helpless, since the property of widows and orphans, which is held by executors, administrators

¹ See for example chapter 55 of the laws of Indiana for 1879, which provides that any foreign corporation transacting business within that State, which shall remove to or commence in a Federal court an action between itself and a citizen of Indiana, shall thereby forfeit all right to do business or own any interest in or lien upon real property therein, and all rights secured by contract with its citizens.

² See Chapter 212 of the Laws of New York for 1878; and Chapter 417 of its Laws for 1879.

and trustees, and can always be discovered by the assessors, will have little weight in States that tax claims held by their citizens against each other, while the chief objection to the taxation of movable property of any kind, that it tends to drive it away from the territory where the tax is levied, does not seem to apply.

The only injurious results from such a system of taxation that are at all likely to be feared or observed by those who have but an imperfect appreciation of the relation between cause and effect are foreign retaliatory legislation and a decrease of population, due to a disinclination on the part of men of wealth and enterprise to remain in a place where they are hampered in their undertakings. That retaliatory legislation will follow the direct discouragement of foreign investments is shown by the passage of such laws that have resulted from indirect attempts to do so by excessive taxation of foreign insurance companies; and the fear of this will, undoubtedly in the end, act as a deterrent to the adoption of excessive extra-territorial taxation by those of the States which are in need of capital from elsewhere to develop their own resources. This fear, however, is not one which will affect such as have enough wealthy inhabitants to supply their needs, but who wish to oblige them, for the benefit of the land-owners among their fellow-citizens, to invest in domestic rather than in foreign enterprises. Of these one, at least, Massachusetts, has officially proclaimed that such a course may be desirable,¹ and it remains to be seen whether the logical result of such language will be carried out there. Those who so think and act will find, after they have erected their Chinese wall of taxation to prevent the flow of capital to the place where it can be most profitably employed, a single, but that a fatal flaw in their calculations, namely, that though the Constitution may leave them free to obstruct the movement of capital apart from its owner, yet that when its owner accompanies it, it cannot be impeded, and the same causes which make so many of those whose daily occupations are in Boston to lodge during half the year away from that city in order to acquire a residence where they can escape its burdensome taxation, which have brought so many rich and enterprising men from California to New York, and have induced at least one of the wealthiest citizens of Massachusetts to migrate, carrying with him to Pennsylvania all his personal property,

¹ See the report of the Massachusetts Tax Commissioners, published in 1875, which shows so much ability in its authors that it is hard to believe that they can sympathize with the cause which they defend.

away from the clutches of the tax collector of the State where he acquired it, will produce a tendency to deprive them of their citizens of wealth and intelligence, that will in the end destroy their prosperity, if they do not cease from fighting with human against natural laws.

To believe that the experience, if not the dread, of these evils will not soon put an end to a system of taxation which directly discriminates against foreign investments, would be equivalent to disbelieving in the constant progress of humanity. But it can hardly be expected that States which adhere to the system of taxing a creditor upon the money due him by its own citizens, will imitate the example of New York and Alabama in entirely releasing him from taxation upon that due him from strangers, and thus encourage the movement of capital from beyond its borders, especially as a tax upon such loans nominally equal in amount to that upon those made within the State, will, on account of the ease with which it can be evaded, and the probability that in the place whither capital is attracted, a lower rate of taxation prevails than in that whence it comes, subject the men at whom it is aimed rather to an annoyance than to a burden.

It is probable that both kinds of taxes will be abolished, if not exactly very nearly at the same time. But certainly neither will be until the people have been shown something better to take their place as a means of obtaining the revenue necessary to defray the expenses of government.

The reformers have had, hitherto, little difficulty in displaying the evils of the ordinary methods in use in the United States, but show no harmony when they suggest substitutes for them. Until those who wish to assist us to something better reach some kind of an agreement it is useless to hope that we can rid ourselves from the present incubus, which is only tolerable, because the stupidity of its creators has given us an opportunity in so many instances to shirk the load which we seem to bear.

But that cannot be done, until the principles of taxation are sufficiently well known to facilitate argument by deduction from them. Nor this before they have been discovered and identified. There is no other branch of political economy which is so little understood, and none which is likely to yield so rich a harvest to him who undertakes its study and investigation with patience and intelligence.

The great problem that the people of the United States will soon be obliged to solve, is, how to increase the local and diminish the

national taxation with as little diminution as possible to the wealth of the country.

He who can teach them best how to do this, whether his labor be performed as a student, as a writer for the press, as a lawyer, or as a statesman, will have the key to fame and to fortune.

ROGER FOSTER.

PARTYISM AND PARTY SPIRIT.

THE genesis and growth of political parties in a republic like ours would be of themselves a fruitful subject of inquiry and speculation, and would lead to reflections and conclusions useful alike to the practical statesman and political philosopher. A slight analysis, however, would be sufficient to convince us that they have their root not in the necessities of mankind, but in sentiments and motives not very salutary to our form of government, or even creditable to human nature itself. Instead of being a normal development of free institutions they would be found to be a fungus on the body politic, nursed into rapid growth by the function it performs of robbing the parent stem of much of its strength and vitality. So far from being an outgrowth of true liberty, they would be seen to antagonize it, and if suffered to go on without check or restraint they would gradually undermine and overthrow it.

The essential condition of political parties, their foundation, nutriment and support, are the glittering prizes offered to the successful champions and combatants on either side. If there were no National or State exchequers, if to the victors there were no spoils, if, in a word, offices were without emolument and patronage, there would be no parties, and party spirit, being deprived of its natural sustenance, would soon die out. Greed and a division of the profits fill up the measure of the struggling patriot's hopes and ambition, and he sees in the distribution of offices the golden opportunity for himself and a host of friends, dependents and satellites. Their hopes are kept alive by a multiplicity of contrivances, all calculated to advance the same ends. A subsidized press, caucuses and conventions manipulated by a few aspiring and skillful leaders and their paid henchmen, orators hired for the occasion, contributions levied without mercy upon a whole

army of officials, ticket-venders hired to stand around the polls to bribe and cheat the voters—those, as is well known, are some of the most common elements that enter into the construction and constitution of parties at the present day, and compose the greatest part of their efficiency, machinery and support. That they are not the means whereby the masses are to be educated and ennobled or republican institutions preserved in their purity and presented in the most attractive form for the imitation and adoption of the less enlightened nations of the earth, will scarcely admit of question. It is more of a puzzle and problem to understand how, with all the humiliations, crimes, the cringing servility, the decline of public virtue, the venality and corruption, the suppression of independent thought, conviction, speech and action, and general degradation and decadence that are born of such a system, any form of civil government that harbors it can long survive.

But it is not so much to point out the origin of political parties, or to discuss their general tendency to scatter the seeds of discord and dissolution in a single State, as to show how they check the normal growth of free institutions everywhere and arrest the progress of the people towards their natural inheritance, universal order, liberty and equality, that this essay is undertaken.

Before attempting this, however, it will be well to notice the principal ground upon which partyism is upheld by its advocates and its continued existence sought to be perpetuated. The argument in its favor rests upon the accredited maxim that two great parties are needed under every government to watch each other, and that both together, constituting the totality of the people, they are all by this means preserved from public danger. Without this vigilance of parties, they argue, those holding the reins of government would soon become usurpers, corruption in office would be the order of the day, and the masses become the victims of oppression and anarchy. But the two great parties, standing like sentinels upon the watch-towers of freedom, and each ready to sound the tocsin of alarm in case of danger from the other, no such results are to be apprehended.

In answer to this statement it would be pertinent to ask: Is it, in point of fact, true that parties usually conduct themselves toward each other in this way, and thus make themselves conservators of the public liberty? Is it true that, in the absence of parties, the ruling classes would have it all their own way? Could they go on and execute their ambitious projects without being called to account for it? Would

they enjoy any greater immunity from criticism and detection than if they were under the perpetual espionage of two hostile factions? To imagine such a thing is to imagine the great body of the people to be as indifferent to their own interests as to the conspiracies and machinations of their rulers. It is to imagine such willful blindness and neglect on their part, or such besotted ignorance as falls to the lot of those only who have already lost their liberties, or deserve to lose them—such total inability to manage their own affairs as to justify their return to a state of vassalage and barbarism. Suffice it to say, that such an unfortunate condition does not attach itself to a people capable of representative government. The higher their intelligence the greater their aptitude and discrimination in the selection of proper persons to fill their offices; and having selected the most worthy instruments for this purpose, they have no longer the same motive for watching them, though, no doubt, the promptings of patriotism would stimulate them to do this as much, to say the least of it, as they would the most violent partisan.

Besides, it is obvious that, if the inclination is not wanting, a party or the moiety of the people are less qualified to guard against corruption and abuses than the whole body of the people, just as a single force is less effectual than several forces combined for any purpose.

Then, again, this mutually hostile vigilance of parties, the principle of setting a rogue to watch a rogue, is apt to defeat itself in practice. For, while one hostile party is anxious to convict some member of the other of malfeasance or neglect of duty in office, or of any other offense, his own party is just as anxious to shield him. Does it relate to some fraudulent election, the members of both parties conspire together and exhaust every artifice in favor of their respective candidates and against the opposing candidates. And such is the partisan feeling sometimes exhibited on these occasions, the fierce strifes and animosities, as to threaten the most serious consequences and jeopardize the very existence of the Republic. As an instance of this, I need only advert to one of the latest and most memorable contests in our history for the election of President, by which the whole nation was convulsed from one extremity to the other, and came well nigh being wrecked upon the waves of party passion. The most melancholy feature of this contest was the violent ebullition of party spirit which seized on all classes of the community alike, so that when the time came for the final adjudication of the question before the Commission appointed to decide it, we witnessed the remarkable spectacle

of every member of it being swayed, like a leaf in the wind, by partisan bias and attachments—the venerable Judges of the Supreme Court, from whom better things were to be expected, voting each his party predilections, as he happened to belong to either the Republican or Democratic side, with as much zeal and unanimity as the veriest party hacks at an annual election for the lowest town offices.

Does it relate to inquisitions set on foot to ascertain the complicity of members of Congress or other officers of the Government in peculations of the public funds, or lending their votes or influence to shield the guilty, or in any of the thousand methods for defrauding the Government, how often do we see the forces of the administration banded together for the purpose of protecting it against the censure or exposure that might result from punishing the offenders, and working for this end with as much zeal and assiduity as the opposition exhibit in their efforts to ferret out and punish the transgressors.

In this way the labors of the two parties often counteract and neutralize each other, and the guilty make their escape in the cloud of dust raised over their heads by their political friends and enemies.

Were these party contests never indulged in, and the people left free to visit with punishment all infractions of the public service, without raising any party clamor or issue, who can doubt that there would be fewer instances of incompetency in appointments and elections to office, and the springs of public justice less liable to be contaminated. As with the greater assurance that true merit would be rewarded, and the drones and knaves got rid of, so would it be with respect to efficiency in the public service the moment party dictation and control were ended. Upon this point I need not enlarge, as there can scarcely be two opinions upon it at the present day among intelligent people. Let there be frequent changes in office, from the highest to the lowest, and the application, as to fitness, of the party test instead of the test of merit, and it follows inevitably that the ranks must often be filled with inexperienced, if not incompetent persons, and there cannot be the same fidelity and usefulness in the discharge of public trusts as in those cases where the incumbent is known to possess the necessary qualifications, and is not liable to removal during good behavior. This is one of those propositions, the simple statement of which would seem to be all the argument needed in its favor, though its truth has been fully confirmed by the recent experience of our Canadian neighbors and the most enlightened countries of Europe, where the system of partisan appointments to office has

given way to one established upon tests of character, capacity and general fitness.

While the dominion of parties and the prevalence of party spirit, in a state, are to be deprecated on other grounds, they present, to the eye of the philosophical observer, their worst aspect when viewed in relation to the laws which govern human progress. Like other evil institutions and practices, handed down from barbarous times, they erect a barrier against this progress, hard to be removed, because of the deep-rooted prejudices in their favor, and the powerful support they receive from the most influential classes of citizens. Were it not for the vigorous action of the laws themselves, which are sure, sooner or later, to assert their superiority and overcome all opposition, we might indeed despair of ever finding any remedy for the evil.

But, it may be asked, have we any assurance of the existence of these laws of progress, waging such a bitter warfare against the powers of evil? May they not be the mere creatures of the imagination? And, if real, how do we know that they may not finally succumb to the hostile forces arrayed against them?

To undertake to answer these questions fully would require vastly more space than can here be given to them. Suffice it to say that both reason and induction have in recent times demonstrated the existence of forces, set in motion and guided by unseen and unknown agencies, that control the affairs of nations with a vigor, uniformity and certainty analogous to the laws which dominate the material world. Like the forces which have stimulated into activity the life-giving properties of nature, and gradually peopled the earth, first, with the lowest organisms, and afterward with still higher and higher forms of life, in an almost endless series and succession, until their final culmination in man himself; so those which have been instrumental in fashioning man from a rude beginning, into a being capable of collective and social aggregation, have advanced him from a comparatively humble origin to his present more exalted condition. And as it has been in the past, so there is every reason to believe it will be in the future, by the persistent operations of these forces, he will go on conquering and to conquer, in a career of progress and improvement, not perhaps unchecked and uninterrupted at times, but nevertheless borne forward toward an ideal of happiness and perfection. If the general movement is slow, and not without its haltings and retrogressions, it is nevertheless sure; and it is marked by so many milestones on the way; it is strewn with so many evidences of

gain and conquest, that no one who has carefully studied the subject can, at the present day, shut his eyes to the fact that our civilization is advancing, and that it is advancing by virtue of a law whose springs and pulleys, though they may not be seen or understood, are as well attested as any of those which direct the planets in their courses.

The direction and destiny given to this movement of man in his social and civil capacity is toward complete emancipation from all restraints upon his liberty. Hence his struggle throughout all the ages. In all the vicissitudes of his checkered career, amid all the misery and agony poured upon him at the hands of tyrants and task-masters, amid the throes of revolution, at the stake and on the scaffold, this darling object, the achievement of liberty, has inspired all his efforts, and filled him with the martyr's faith and courage; and even when darkness and doubt covered him, his despairing cry has still been heard: "Liberty! Fraternity! and Equality!"

Nor have these been mere empty names, without meaning or inspiration. On the contrary, they breathe forth the very essence and expression of the laws which underlie human progress—the law of the equality of human rights and the law of human brotherhood, by means of which the jarring elements of our nature will, one day, be molded and melted into such a harmony of thought, speech and action as will unbar the prison's doors, banish crime and misery from the earth, and render the restraints of human laws and governments alike unnecessary.

It is against the realization of hopes such as these that party throws its baleful influence; it is upon such a picture, not altogether ideal or fanciful, that it projects its dark shadow. By the agency of powerful individuals and powerful combinations it throws impediments in the way of the orderly march of events, so that sometimes although the current still moves, we scarcely see it. The fierce dissensions and animosities born of party spirit sever the bonds that unite individuals and neighborhoods together, and close up the avenues to that spirit of toleration, forbearance and mutual regard which are so essential to combined effort in carrying forward all great measures of reform. The heart and the intellect are both restricted in their operations for the achievement of these ends. How common to see men of worth and ability and naturally large views "narrowing their minds," as Goldsmith so happily expresses it with regard to Burke:

"And to party giving up what was meant for mankind."

They have wallowed so long in the little dirty pool of party politics that the slime sticks to their skirts, and they are incapable ever afterwards of getting rid of the stain.

Add to this the influence which such examples have upon the young. No sooner does a young man enter upon the theatre of active life than he thinks it his first duty to connect himself with one of the great political parties of the day, just as his elders have done before him, and to be as loud and obstreperous in favor of it as any of them. Nor is his selection of a party determined, as a general thing, by any consideration of its merits. On the contrary, in nine cases out of ten, he joins it because his father happened to be a member or from some other equally trifling motive. The consideration whether the men and measures he is about to support are good or bad, whether any great principles of justice or public policy are at issue, whether he could not spend his time and talents to much better advantage in some other field—no such questions as these ever enter his mind. "My party right or wrong"—this is the grand political motto he inscribes on his banners; this is the talisman that urges his footsteps onward, and leads him into the thickest of the fight. It is related of one of the conspicuous party leaders of a past age that when, on a certain occasion, he was about to cast his vote for a candidate for office, and was told that he was a scoundrel, "Never mind that," said he, "all we want to know is that he is *our* scoundrel!"

Such is a specimen of the political morality and principle often boasted of and taught by the champions of party, and handed down as a sacred legacy to their children and countrymen. Is it any wonder that when such doctrines are taught among us that partyism should be harder to shake off here than anywhere else, that it should have become an almost exclusively American institution, and that we should be "traduced and taxed of other nations" for continuing it so long? Says Von Holst, in his Constitutional History of the United States: "Party spirit has permeated the whole of political life in the United States to a greater degree than anywhere else."

There is another way in which the evil spirit of party thwarts the normal action of the law of progress, and that is by dictating, through the exercise of arbitrary power on the part of its leaders, the course and policy of the Government. This is due, no doubt, in a certain measure to the blindness and ignorance of these leaders and to the inherent weakness and backwardness of politics as a science. Its

principles are so little understood that no single mind has been able to devise any system that would stand the test of experiment for a single generation; and statecraft, as it is generally understood, is only the contrivance of shifting means and expedients to meet emergencies as they arise. Taking advantage of these imperfections in politics, little men, the "forcible feebls" of political parties, who, if they have sufficient cunning, are just as likely to get into power as others, through party machinery and management often try to foist on the public the merest shams and devices as if they contained the very essence of political wisdom.

Nor is this all or the worst. The most salutary measures of relief or reform are likely to be barred out unless they are presented to the public through the regular channels, and bear the trade-mark of one or the other of the two great controlling parties. Hence a third party, whenever it makes its appearance, is immediately ostracized by the other two, and, no matter what its pretensions, "be its designs wicked or charitable," it stands no chance for a hearing, or even for its life. Witness the efforts of the so-called "Greenback party" at the present time to step in between the other two and assert its claims for consideration. It is denounced on both sides and viewed as an interloper of the very worst description. So with the "Liberty party" years ago. In its first struggle for existence it met with the most relentless hatred and opposition from both Whigs and Democrats; every artifice known to the most unscrupulous political management was employed to get rid of it; and this heroic little party, bearing in its hands a remedy for obliterating the greatest stain upon our institutions, came near being crushed to death between the upper and nether millstone of party politics. Such a spectacle would be amusing if it were not so sad. It is like that of two dogs growling and fighting over a bone, but the moment a third comes along, dropping their own quarrel, and both pitching into him with renewed fury. In relation to the abolitionists, the same high authority I have already cited has not failed to notice the hostile attitude the two great parties of the day placed themselves in toward this third party, and he signalizes it as an instance of the unrelenting warfare waged against those "who had not sold themselves bodily to the one party or the other."¹

But the mischief does not stop with this attempt to stifle the independent thought and action of those outside the pale of the two great parties. Perhaps its worst feature is that it reacts upon the ranks of

¹ Von Holst, *Constitutional History of the United States*, Volume II., p. 693.

those remaining inside, cramping the range of their vision, demoralizing their action, and substituting a narrow bastard patriotism, that regards all questions of public policy from the selfish standpoints for that healthy individual freedom which is not hampered in its views by any considerations of party attachments or fealty.

Still, as has been already more than hinted, let us not forget that the most licentious and powerful parties cannot permanently put a stop to the march of progress, any more than can any of the other undermining and destructive agencies. If they could, every government on earth would, sooner or later, fall into anarchy and dissolution, and the springs of all progress would perish.

That many governments do finally succumb and fall a prey to powerful factions in a State, we need not look very far into history to discover. This is a lesson that every school-boy knows. Nevertheless, it is just as true that the disruption and decay of single states, the fall of principalities and powers here and there on the face of the earth, no more threatens the soul and life of liberty than the occasional fall of a star threatens to blot out the orb of day. It may indeed happen that ours is one of the governments that are fated to experience the catastrophe I have mentioned, and that this may come sooner than most of us imagine. Yet if it does come, unless present signs deceive us, it will be due to other causes than the very grave evils connected with party politics that I have been considering. *That* danger, we may congratulate ourselves, however nearly we may have approached it, is already past. The blow that will prostrate us as a nation, whenever it shall be dealt us, will come from some other quarter.

For strange as it may seem, while the reckless and profligate course of political parties has been the fruitful source of calamity, and even threatened destruction to our institutions, for many years in our history, and while other nations whose systems more nearly resemble ours have got rid of these dangers, without our profiting apparently by the example, yet the evidence is not wanting to show that we are beginning to open our eyes to their importance, and to make us cherish the assurance that the day is not very far distant when they will be warded off entirely.

This evidence meets us at several different points: First, in the altered tone of the public press, which, as a general thing, is not so servile as formerly in its attachment and allegiance to parties, even in those instances where it is a recognized organ of one of them. For

once in a while, however rare the intervals, it makes bold to express dissent from the *dicta* and domination of its leaders, and occasionally to approve the men and measures of the opposition. In many cases it rises to a still higher level, where it is seen throwing off the party shackles altogether, and refusing to lend its undivided aid and influence to any political organization whatever. To the true lovers of progress there is no more encouraging sight than this, and none that reflects so well our ideal of this great exponent of the public sentiment. The mouthpiece of no party, taking a comprehensive view of all public questions as they arise, looking with unbiased judgment and freedom upon the acts of public men, censuring where censure is called for and praising where praise is deserved, listening only to the dictates of truth and justice—such a press as this becomes the most efficient agent we can imagine in the cause of progress and in preserving inviolate the liberties of the people.

Next in importance is the refusal of individuals all over the land, the number of whom is becoming greater and greater every day, to bind themselves to support the candidates of their own party indiscriminately, without looking into their qualifications for office. Nor is the number by any means small of those who have got rid of the party collar altogether, believing it to be a badge of servility and obsequiousness. And in this emancipation it is wonderful what a relief they find from the trials, vexations and little petty annoyances which party obedience always imposes. It is like shaking off some incubus they had all their lives been troubled with.

Another hopeful sign of the times is the advocacy by so many people among us of what is called civil service reform. Both parties have been reluctant to take it up and make it a fair and square issue before the people, though the Republicans have paraded it in their platforms and inscribed it on their banners to some extent. It is a question, however, so inexorable in its demands to be heard that neither party can afford to ignore or to trifle with it much longer, and it is sure, sooner or later, to assert its prerogative to be considered altogether the first and most vital question of the day. The reason for this hesitancy on the part of both parties is obvious, for they well know that the moment this great reform becomes engrafted on the policy of the country, as a part of it, their occupation as politicians and partisans, in the worst sense of the term, is gone, and that political parties, as at present understood, with all their shifts and appliances to secure the largest possible number of offices to the largest possible

number of retainers, will be dead and buried beyond the hope or power of resurrection.

Finally, we may be said to have the surest safeguard and guaranty against the perpetuation of the excesses of partyism and of the party spirit in the general diffusion of knowledge and the enlightenment of public opinion. Before these other relics of barbarism have fallen, such as the feudal system, slavery and ecclesiastical tyranny, never to revive. May we not, therefore, look with courage and confidence for a similar result with respect to the evil under consideration? Since the march of public opinion registers the extent to which the great laws of human progress are operative in any given community, do we not see a sure omen, in the declining veneration for and subservience to parties in the United States, that these laws are active and producing their natural fruit with us? More than this, when men attain to the stature of perfect independence of party restraints, when they no longer regard the Government as a mere money-making machine, to be worked for their particular advantage and that of their party, when the press of the country all over the Union utters its legitimate convictions, without fear or favor from any party, and the party shibboleth shall lose its power over individuals, may we not reverently claim to be considered one of the favored races, who, by laying aside the sins that so easily beset them, have rendered themselves fit to survive the rest, and who perhaps are destined to reach the highest elevation and expansion to which the progress of free thought and free principles are capable of conducting any people?

WILLIAM BRACKETT.

End of Volume



THE INTERNATIONAL REVIEW

ROBERT P. PORTER, EDITOR.

CONTENTS:

	PAGE
The American Aristocracy. LINCOLN L. EYRE - - -	I
Corruptible Elements in the Suffrage. HENRY RANDALL WAITE -	14
The Peerage of Great Britain. HUGH WEIGHMAN - - -	30
A Defense of American Shipping. C. J. BROCKWAY - - -	40
Paul Bert and the Jesuits. WILLIAM ALEXANDER HEYDECKER -	49
Traces of International Law in Ancient China. W. A. P. MARTIN -	63
Currency, or the Fundamental Principles of Monetary Science. BONAMY PRICE - - - - -	78

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 - VI. TRACES OF INTERNATIONAL LAW IN ANCIENT CHINA—
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 - VII. CURRENCY, OR THE FUNDAMENTAL PRINCIPLES OF MONETARY
SCIENCE—Bonamy Price.
-

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16

COMPOUND OXYGEN

FOR THE CURE OF CHRONIC DISEASES.

A BLESSING TO THE AGED.

Very few persons, on reaching threescore, find themselves in good health. From various causes the constitution, which may have been vigorous in early life, has become broken, the nervous energy depressed, and organic disease of some kind added too often to the catalogue of ailments which burden and distress the waning years of life. In cases of this kind the medical profession can do little, if anything. The administration of drugs only makes matters worse; and tonics, health-cures, sanitariums and the like give at best only temporary respite from depressing weakness or suffering. As the years go on health steadily declines, and the days become more and more shadowed. It has become sadly true that a vigorous old age is the exception, and not the rule. The cause lies chiefly in the overstrain of early and middle life, or in a continued neglect of the plainest laws of health.

To this class Compound Oxygen comes as a boon and a blessing. It has rarely happened in our administration of this new agent of cure that persons in advanced life have not found it a remarkable quickener of all the vital forces, giving a new sense of life and comfort, and complete or partial freedom from pain where nervous or organic troubles have entailed suffering. The following extract from a letter written to us by a lady in Ohio, seventy years of age, gives an instance of what Compound Oxygen can do and is doing in a large number of cases for the aged, in bringing them relief from suffering and depressing weakness in their declining years.

"I am much better," she writes, "of all my troubles, though I am reminded of them occasionally. I said *all*. The oldest of all is Dyspepsia, which hangs on in some form occasionally, but which dates back more than twenty years. The skin trouble, by whatever name it may be called, came next; *after being a six years' scourge, has mostly disappeared*. The Catarrh, a five years' distress, *has also gone entirely*. The throat disease and laryngitis GONE; only threatening a little upon taking cold.

"I have never given up to be an invalid, confined to the house, and if it were not that I am *threescore and ten*, I think I could increase in strength and activity. What strength I have and what power to do I attribute, *under the blessing of God, to the use of Oxygen*, as I feel confident I should have succumbed to Bronchitis, if not to other diseases, had I not used it.

"I shall keep the Oxygen and use as I need. I hope by this means to finally overcome the dyspeptic tendency. I have written thus definitely that you may use it as you please, only withholding name for the present. Some time I may give it."

In the case of a gentleman over *seventy-four years of age*, the brother of a physician who procured our Treatment for him, the revitalizing action of Compound Oxygen is quite as marked:

"My brother writes me that he has gained in weight sixteen pounds since the 1st of October last. Feels strong as a young Samson. Has an excellent appetite and a good digestion. Cough and expectoration reduced to less than nine-tenths of what it was six months ago, when he began the Compound Oxygen Treatment. He says that in all

of his long life (above seventy-four years) he *never enjoyed a better class of good feelings. Sleeps as calmly as an infant from ten o'clock p.m. until five o'clock a.m. every night.*"

BRONCHITIS, WITH NIGHT-SWEATS AND CHILLS.

A gentleman at Ackley Station, Pa., procured a Treatment for his wife, who was suffering from disease of the throat and chest. This was in October last. November 28 he wrote:

"My wife's trouble was *Bronchitis*, caused by a cold which she had taken last March. *She was also greatly prostrated, raising a great deal of bloody matter; loss of appetite and no strength; had night sweats and chills, and seemed to be running down very fast*. The Compound Oxygen was received and she commenced taking it at once, and has taken it regularly ever since; and now, the 28th of November, *she is almost as well as she ever was*. She has some trouble in her throat yet, but not much. She has a good appetite, and has gained ever so much in flesh and strength, and is around attending to her household affairs as usual."

"SURPRISED AT THE PROGRESS I HAVE MADE."

The patient whose brief report we give below had been a sufferer for twenty years with a catarrhal affection, which took on every autumn the aggravated form of Hay Fever. He also had occasional hemorrhages from the lungs; and was growing worse year by year. In August last he began the Oxygen Treatment, and reported every few weeks a steady improvement in all respects, though with an occasional return of bad symptoms, which, however, were of brief duration. After using two supplies of Oxygen he gives the following report of results:

"My health has slowly improved in almost every respect. * * * Since my improvement a good many persons are making inquiry about Oxygen. * * * I hope to be able to continue the use of Oxygen. If I did get entirely well, *I will be a walking advertisement, for everybody who knows me is aware of my twenty years' sickness. My friends are surprised at the progress I have made in the direction of health.*"

"AM EATING HEARTILY AND SLEEPING SOUNDLY."

The following case shows a rapid improvement under the effects of Compound Oxygen. With sound sleep and a good appetite a return to health in almost any disease comes as a natural result:

"Am happy that I can write a more favorable report than I have yet done since I commenced your Treatment. My health is improving more rapidly than ever since I received your last Treatment. *I am eating heartily and sleeping soundly at night, and feel almost ten years younger than I did six months ago*. In fact, I feel that *my whole physical frame is undergoing a reorganization*; or, in other words, a rebuilding up anew of my whole system. I consider that I cannot say too much in praise of your Compound Oxygen, for *I do not think I could possibly have lived to the close of this year if it had not been for your remedy.*"

Our Treatise on Compound Oxygen is sent free of charge. It contains a history of the discovery, nature and action of this new remedy, and a record of many of the remarkable results which have so far attended its use.

Also sent free, "Health and Life," a quarterly record of cases and cures under the Compound Oxygen Treatment.

DEPOSITORY ON PACIFIC COAST.—H. E. Mathews, 606 Montgomery street, San Francisco, California, will fill orders for the Compound Oxygen Treatment on Pacific Coast.

DRS. STARKEY & PALEN,

1109 & 1111 GIRARD STREET, between Chestnut & Market,

G. R. STARKEY, A.M., M.D.
G. E. PALEN, Ph.B., M.D.

PHILADELPHIA, PA.

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THE INTERNATIONAL REVIEW.

JANUARY, 1883.

THE AMERICAN ARISTOCRACY.

OUR practical statesmen will do well to note two recent exhibitions of popular sentiment regarding themselves. These were so dissimilar in their methods of expression as to mislead any casual observer who did not see that both pointed in the same direction and suggested the same political future. The first, in 1880, was an expression of apathy or uncertainty, and was evidenced by the refusal of at least one million customary voters to take any part in the presidential contest of that year. The second displayed itself at the elections of October and November last, and indicated neither apathy nor uncertainty. As a result of elections held in thirty-three States, the 48th Congress, unlike its predecessors, will be Democratic by a notable majority of 77; the complexion of the State Legislatures in many of the States has been changed from Republican to Democratic; and of the fifteen States in which general elections were held, thirteen returned Democratic State officers and ten overthrew the preëxisting Republican control. While Ohio, Indiana, Kansas and Iowa were trammelled by the liquor question and other issues of a purely local nature, the eight States of California, Colorado, Connecticut, Massachusetts, Michigan, Nevada, New York and Pennsylvania offer a field of observation fairly clear of such impediments. Some figures do not need a Chatham to make them eloquent. The following table will speak for itself:

<i>States.</i>	<i>Presidential majority in 1880.</i>	<i>Estimated State majority in 1882.</i>
California.....	Democratic, 144	Democratic, 20,000
Colorado.....	Republican, 2,803	Democratic, 2,500
Connecticut.....	Republican, 2,656	Democratic, 4,000
Massachusetts.....	Republican, 53,245	Democratic, 13,000
Michigan.....	Republican, 53,744	Democratic, 9,000
Nevada.....	Democratic, 879	Democratic, 2,000
New York.....	Republican, 21,033	Democratic, 200,000
Pennsylvania.....	Republican, 37,276	Democratic, 41,000

If we assume, as we reasonably may, that the falling off in the total vote is to be numerically charged to both parties alike, a comparative calculation of the two ballots by means of a simple formula reveals a shifting, in these eight States alone, from Republican partizanship in 1880 to Democratic partizanship in 1882, of 230,000 voters. Adding Pennsylvania's 40,000 Independent Republicans and an undoubted "stay at home" vote of twenty per cent. of the total 270,000, we may safely rely upon more than 300,000 Republicans who, in less than a fourth part of the whole country, from the extreme west, north, northwest, east and center, have now expressed an affirmative change of sentiment by a vote nearly double that which was given by the entire nation to the "free soil" ticket in the stirring times of 1852.

Such a convulsion of the elements—not sectional, but national—at a time of actual peace and apparent prosperity, and occurring between 1880 and 1882, has puzzled our political Bunsbys exceedingly. With their eyes on the coast of Greenland, they indulge in vague, oracular criticisms, mutter something about "reform spasms," and, having propounded a certain question, settle comfortably back into their usual state of disputative satisfaction. The certain question is: "If abuses exist which were caused by the Republican party, and which existed long before the year of our last presidential contest, why did a round majority of the people place upon the chief executive chair a man who was in every sense a representative of that party, its ideas, its theories, and even some of what you are pleased to call its most dangerous faults?"

The plébiscite of May 8, 1870, taken to ascertain the sentiment of the French people regarding the form of government of a country which, as later events proved, was then saturated with republicanism, resulted in 7,350,142 votes for the Imperial Government and 1,538,825 against it. A few months drew aside the curtain and showed the world "an emperor in rags." And so France became and is to-day a rabid republic; and yet the people of France, in the May of 1870, possessed as ample a liberty of suffrage as had in 1880, in many sections of this country, the American voter.

The theory of the preceding question implies a state of things which, for at least six years last past, has had no substantial existence. Garfield was no more "the choice of the party" than was his predecessor Hayes. Blaine was the choice of the party on both occasions. Like the "Tariff Compromise of 1833" and the "Missouri Compromise," which merely served unwisely to delay the irrepressible conflict

which followed, Garfield and Hayes were compromises between the political aristocrats and the popular voice, and served precisely the same temporary purposes. Hayes was actually unknown to a majority of his constituents. Of Garfield the New York *Herald* said, a few days before his nomination by the Chicago Convention, that "Garfield's little boom becomes more laughable every day;" and two months afterward Mr. White, in the August number of this REVIEW for 1880, merely echoed the public voice when he said that Garfield's nomination "came without plan, without preconcert, and without the privity of the candidate himself." That Blaine was not as fit a candidate as Garfield detracts nothing from the significance of the choice made between the two; that Garfield in power gave promise of a fairly pure and sound administration did not give the lie to the fact that rights, privileges and constitutional ideas had been already successfully impaired or destroyed; and the now clearly recognized fact that Garfield's pathetic end awakened the slumbering people to a sense of their diminished rights, and brought about the result which the fall elections have disclosed, merely adds another to the list of cases in our own history in which the immediate impelling causes to change or reformation were sensational and illogical. Nothing crystalized Jefferson's party, after years of unaccountable disunion, like the *fanfaronades* of Minister Genet. Unworthy dissensions among the leaders of the Federalists illogically broke up that party years before its usefulness had expired. In 1852, when the great parties clashed like thunder-clouds upon the bitter question of slavery, the Hale and Julian "Free Soil" ticket—the only National Reform ticket in the field—received a paltry vote of 152,000. And eight years afterward, when our distracted country, in consequence of evils whose existence and gradual growth four times that number of years had witnessed, seemed upon the verge of uncompromising disintegration, and the Unionists in the North even then vacillated and frittered the precious moments away almost within hearing of the guns of Charleston, it required a sensational episode—the assassination of Ellsworth—to do more than all preceding broader events, in its aspect of a personal, romantic catastrophe, to inflame and set in action the sentiment of what had always really been a patriotic and a courageous people.

So is it with us to-day. A political duel between the leaders of two great factions of the ruling party; the dramatic withdrawal of one from the stage of public affairs; the assassination of the other—thus the tragedy ends. The play's the thing wherein to catch the con-

science of a somnolent people. The spoils monster having destroyed Garfield, Garfield, in his turn, will destroy the spoils monster. A just retaliation; but our *Sedan*, I fear, is yet to come.

The spoils monster is merely one part of a poisonous system of which official assessments, frailty of official tenure, and general official slavery, "bossism," personal politics and *ad captandum* legislation, are ingredients and essential factors. Herein lies the simple secret. The Civil Service Reform Associations can arouse no active sympathy in the breast of the average voter for the woes of unjustly ousted office-holders whom he does not know, or whom perhaps he has never even seen, unless he is shown the darker dangers which such outrages foreshadow, and the lesson be brought straight home to him. We must appreciate the fact, and the fact will soon be staring us in the face that to remove the leopard's spots requires, first the killing of the leopard, and then the burning of his hide. Promises, professions, pledges, are absolutely ineffectual. We are oppressed by a system whose pressure, when brought to bear upon any of its members, is more than human moral courage can resist. The streets of Washington, like those of another locality, are paved with good intentions. Witness the abortive Civil Service Commission of Grant; the unproductive attempts of Hayes; the broken pledges of Arthur. The expression "to blow hot and cold with one breath" is as difficult to act upon as would be a consistent joint worship of God and Mammon. To purge Civil Service abuses we must first eradicate the system which gave them birth. We must overthrow a degraded institution. We must stem a dangerous current of thought. The professional politicians who crushed the Southern aristocracy of 1857 actually threaten us with an aristocracy of the North. These same gentlemen, in Congress, in State Legislatures, in the executive control of Federal and State governments, representing the municipality, or the ward, or the little precinct, are all members of a privileged order scrupulously classified, each grade of which is responsible, not to the public, but to the higher grades alone. Each plays into the other's hands for the common benefit of all; and the result is aristocratic government.

The fault is not that of the Republican party, but of its managers, those who made the laws and those who carried them out at a time of great financial depression, of apparently irreconcilable feuds and of impending national ruin. All that they ever did was in the war and for the war; but they averted those great dangers and obtained what they had richly deserved—all the honors and the emoluments in the gift of a

grateful country. Then peace was declared. The once rebellious States were reconstructed. The South became reconciled and prosperous. "Free soil" existed everywhere. Slavery was dead. "State sovereignty," the opposition to Federal encouragement of internal improvements and commerce, and the doctrine of nullification, were all practically dead. As early as 1872 the Liberal Republican movement recognized the necessity of a more enlightened policy, and of undertaking new measures and much needed reforms. From that time the war sentiment began to decay; but the managers of the Republican party, like "old politicians, still chewed on wisdom past," and, when they found that the tide of popular favor was turning against them, felt obliged to resort to artificial means to keep themselves afloat. Having ceased to obtain votes by obedience to popular sentiment, they undertook to control the ballot without it. An army of 100,000 officeholders, each of whom was speedily made to understand that to "crook the pregnant hinges of the knee" was the only sort of fawning which would be likely to bring thrift in its wake, was readily controlled. A large purchasable vote could also be controlled by the judicious distribution at each recurring election of more than a million dollars wrung from officeholders by means of the justly-censured farce of "voluntary contributions;" one million or more colored voters could be controlled, part by purchase and part through a mistaken sense of perpetual gratitude to the memory of the past; a remarkably large class of honest white voters, men of mature age and settled convictions, whose battle-wounds broke out afresh whenever a Republican candidate was to be elected, could be controlled by inflammatory appeals to their basest emotions—to fear, hatred and revenge. Like the mangled bodies of murdered victims held up before the juries of ancient Rome to extort from them unreasonable verdicts, the bloody memory of our rebellion, after fifteen years of peace, was flaunted still in the faces of grown men to intimidate and confuse them. A still larger class of unthinking people, who follow success for its own sake and vote for the party in power, was always to be counted upon; it was beneath the necessity of controlling. Finally, in order that the control of the soldier and labor classes might be strengthened, two equally unnecessary and reprehensible pieces of legislation were passed, known respectively as the Pension and Chinese bills.

While the average of pensions paid from 1865 to 1879 was a little over \$26,000,000 a year, during the last three fiscal years of 1880,

1881 and 1882 the total amount paid upon stale or fraudulent claims, in consequence of the removal of limitation of time to the making of such demands, was over \$160,000,000. The amount which, by temperate calculation, it has been estimated will be necessary to meet the requirements of this bill is over \$300,000,000. The measure was wasteful and unnecessary: but, in the face of short sessions and an avalanche of bills of urgent importance awaiting consideration upon the calendars of both houses, it was eagerly pushed through in order the more readily to persuade the large and influential soldier class "to vote for the man who fought in the war" and "against the man who didn't fight in the war," when, in some cases (as in the case of a circular distributed against Governor-elect Pattison of Pennsylvania) the renegade who "stayed at home" would have been obliged to leave a mother's care and fight almost in swaddling clothes, if he had been able to fight at all.

To influence the labor classes the Republican lion and the Democratic lamb dropped all "party grievances" and passed a bill providing for the twenty years' blockade of a harmless, useful class of immigrants who, numbering a little over 75,000, as the returns of the last census will show, were actually held out as threatening immediate danger to 50,000,000 of citizens! Of what significance was a presidential veto and the subsequent reduction of the proscriptive period to ten years? The temper of such legislation was not thereby altered. What did all the learned arguments amount to? Nothing—for they were wide of the mark; the spirit of a solemn international compact was broken; pledges to a foreign friendly power were violated; our national honor was tarnished by a useless law; we had committed the highest of all national crimes.

By such means an artificial control of classes has been gained for the purpose of perpetuating power. The effect is a system which, as it exists at this time, our hottest partizans can scarcely call a government of the people. The more intelligent classes of citizens, who cannot be artificially controlled, have, nevertheless, lost the influence of their suffrage and are practically disfranchised. At such a wrong, however, they exhibit no indignation. They seem to be possessed of that temper which a great philosopher lately deprecated in the American character, when he said:

What I mean by character is this easy-going readiness to permit trespasses, because it would be troublesome or profitless or unpopular to oppose them; which leads to the habit of acquiescence in wrong and the decay of free institutions.

Politics is now treated as a trade or profession with which the "lay" citizens will do well not to meddle. The typical, swaggering, brazen-tempered politician is not looked upon as an unwholesome weed which should be rooted out, but as an inevitable necessity. In the meanwhile the hypothesis upon which the Constitution was built, and without which it cannot live, is overlooked or forgotten. Do the mere names and forms of freedom suffice to protect the rights of unwatchful citizens? The history of all ages contradicts such a theory. Rome's "Republic" was a patrician city and a world of barbarians. A Greek "Democracy" consisted of 10,000 voters and hundreds of thousands of slaves. These and all other such "free governments" were aristocracies in disguise, and quickly developed into kakistocracies.¹ While our country is yet far from being the victim of such inexorable despotism, its current political and financial history all indicates a dangerous tendency in that direction. Our aristocratic elements are twofold; they are cloaked more speciously, but they are none the less formidable. One is "The Pool," and the other "The Caucus." One is composed of half a dozen vulgar and insignificant-looking individuals, in whom are virtually centered the entire commercial and other kindred interests of this country: all passenger travel, all communications by telegraph or mail, the transportation of two or three hundred millions of merchandise and half the world's food annually from ocean to ocean, on 100,000 miles of rail, for a population of 50,000,000 souls, over an area of more than 3,500,000 square miles. The other is the aristocracy of politics, whose scope I have attempted faintly to describe, and whose most effective weapons are forged by its own victims' hands. Both are selfish, insolent, unpatriotic and unscrupulous. The independent action of either is a perpetual menace to the public liberty; in the combined action of the two, our free institutions may yet discover an engine of irresistible destruction. The one overshadows us to-day in all its undiminished strength—a dark problem truly, unsolved and unappreciated, because the vast damage it threatens is little more than a chrysalis. The other, after a sporadic existence of over half a century, has reached the head of the voter by way of his heart, and the result is an apparent Democratic victory.

Here I leave an important question which has been recently the subject of much consideration, and turn to an equally important

¹ A government in the hands of the *worst* of its citizens, and carried on for their especial benefit.

question which has been the subject of no consideration at all. It has been solemnly stated, and the idea has been expressed in a thousand ways, and not seriously contradicted, that the Democratic party, toward whom the balance of power has gravitated, is about to slay the dragon of aristocracy like a new Saint George; or, perhaps, more appropriately, like a new Saint Patrick, is about to destroy the little snakes of professional politics; that public distrust of Republican management means public confidence in Democratic pretensions; that "reform" and "Democracy" are synonymous terms.

Now, if the Democratic party had lately entered the political lists as a new organization, disconnected with the past and boasting only the purity of its intentions, we should be singularly unembarrassed by any fears of its insincerity; our urgent needs should impel us to give it ample confidence and an ample opportunity to destroy those evils which it has long been so loud in denouncing. But such is not the case. The Democratic party, with its own adherents' fingers, points proudly to the antiquity of its origin and declares that it still bases its principles and the methods of carrying those principles out upon the principles and methods of a single and continuous organization, known first as Republican, then Democrat-Republican, then Democratic.¹ Of course the modern Democrat, while he thus defines his position, at the same time insists that he has accepted the results of the past, that he is not a Bourbon, a nullifier or a secessionist; that he belongs to an old party, but one which is nevertheless ready to discard pernicious and obsolete doctrines and mould itself into the demands of the age in which it lives. His sincerity in this regard cannot be denied; consequently his party's history can fairly serve to indicate the probable action that party will take in the future, not through a categorical exposition of the results of which from time to time it may have been the advocate, but through an examination of the temper, policy and habits of thought which have kept its turbulent elements so long together. These political results are of use only as they serve to reveal that intangible, indefinable party spirit which has brought them about. Such a test the Democratic party, as a National Reform party, cannot avoid. If the Democrats are really untrue to the spirit of the party to which they pretend to adhere, they are untrue to themselves and unworthy of confidence. If they are honest in their convictions their antecedents are indispensable guides to their conduct in the future.

How may we judge and understand them? By their recognized

¹ See, at length, *Sterne's Const. History*, etc., p. 170, et seq.

chiefs, their platforms and other authentic utterances, and by the attitude which they have assumed towards late important questions. Of these very briefly:

Before a Republican audience the names of "the rail-splitter," "the commoner," "the plumed knight," and other such "world men" are very frequently summoned as rhetorical visions, and never fail to invoke enthusiasm. Each brings a story with it and a well-defined lesson, and lives within the personal recollections of living men. But the Democracy has scarcely one modern popular dead hero to summon in reply. The policy of the Democrats of the North has long been one of sullen inaction; and the names of Blackburn, Hampton, Lamar or Butler would merely grate upon the people's ears. So they go back to Jefferson and Jackson. The first is their tradition; the second their shibboleth.

Thomas Jefferson, third President of the United States, was a man of such character that it may well be doubted whether, had he been first President instead of third, this country would have had until to-day a national existence. While in Washington's cabinet he proclaimed both Washington and Hamilton monarchists in disguise, and vigorously opposed many of their wisest measures. He opposed all funding of the National debt; all systems of National banking; as President he obtained the passage of some of the worst laws with which our statute books were ever decorated, among others the embargo acts. In the matter of the impeachment of Chase he displayed his usual quality of shirking unpleasant duties with which to burden his friends;¹ similarly, without openly shouldering them, he gave indirect encouragement to the agitations of Genet, to the monstrous principles of the French Revolution, and to the most puerile passions of the American people.² He was a shrewd politician and an able leader, but a timid, deceitful and illogical man.³

¹ John Randolph. By Henry Adams. Boston, 1882, H. M. & Co., p. 97.

² His record on the civil service system is anything but satisfactory. The removals of officeholders by the first six of our presidents were as follows: Washington 9, one defaulter; Adams 10, one defaulter; *Jefferson* 39; Madison 5, three defaulters; Monroe 9; Adams 2, both defaulters.

³ In Professor Sumner's excellent life of Jackson, which has just appeared from the press, I have found the following corroborative words since I first wrote the above: "Jefferson has remained a popular idol, and has never been held to the responsibility which belonged to him for his measures. * * * Yet the criticisms which are justified by the most conclusive testimony of history fall harmlessly from Jefferson's armor of popular platitudes and democratic sentiments. He showed the traits which we call womanish. He took counsel of his feelings and imagination. * * * He had succeeded in keeping out of the war with either belligerent, *but he had shaken the Union to its foundations.*" p. 28.

Andrew Jackson assumed the presidential office at the close of the pure and peaceful administration of John Quincy Adams. Surrounded as he was by the very best opportunities, he ended by making the very worst of them. His character was already so well known that certain vague expressions in his inaugural address about "reforming" the civil service produced the sole effect of frightening the federal office-holders out of their wits. Their fears were well-grounded. The Democratic Huns, with Jackson and Marcy at their head, actually swooped upon the departments as if upon a conquered domain. The result was infamous. Between March 4, 1829, and March 22, 1830, 491 postmasters and 239 other officers were removed without just cause; and, as the appointees changed all their clerks and deputies, it was estimated that 2,000 changes took place at that time in the civil service.

Does the party of Jefferson and Jackson look like a *panacea* for aristocratic evils and civil-service abuses?

The platforms and other authentic utterances of the same party in all emergencies undeniably militate against the presumption that we may now expect from it a bold, aggressive and sagacious course of action, because these utterances are generally repressive, conservative and merely critical of the acts of others. The reader may verify this for himself by an examination of records which want of space prevents me from laying here before him. A most striking instance, however, is furnished by the various declarations of the Democrats in 1860. At a time of impending bloodshed, when the infant Republican party sat up in its cradle like a Hercules and strangled the serpents of secession and slavery, the Democrats of the North—too timid to throw off the Southern yoke and yet too well convinced of the justice of the Northern cause to allow themselves to take arms against it—stood half-hearted at the threshold of aggressive action and uttered platitudes which, to the unenlightened reader of our history, would give no clue whatever to the irrepressible conflict then actually waging. They declare fidelity to the decisions of the Supreme Court, say a few words vaguely and unsatisfactorily about fugitive slaves and free soil, cheerfully discuss our *foreign* policy and our Pacific railroads, and conclude by pointing out the inestimable benefit that would inure to the people of this country from *the purchase of the island of Cuba*. The action which followed these declarations is deeply significant of the spirit of those who voiced them. The result of the elections of that year was the success of the Republican party; but let us not

forget that this success was caused entirely by a want of singleness of purpose in the dominant organization; the total Democratic vote, had it been concentrated upon one candidate, would have elected him by an overwhelming majority; and the Northern Democrats alone cast a total aggregate vote of 1,566,886, which was within 300,000 votes of defeating Lincoln, entirely outside of Southern territory.

Four years afterward the Democratic party assembled at Chicago in solemn convention. While they indulged in platitudes of the most general nature, and offered no substantial remedy for the disentanglement of our political affairs, at the same time they declared that the war for the Union had been a failure, and that peace should immediately ensue. One was the statement of an untruth, and the other the advocacy of a policy which would have been absolutely disastrous to Northern interests. In 1872, when a fair and full opportunity was offered the Democrats for the accomplishment of substantial reforms, they formally indorsed a reform candidate whom they afterwards, by their clannish indifference, delivered over to the tender mercies of an overwhelming defeat. Of recent Democratic congresses it can hardly be contended that they gained in dignity or public confidence by their disposition to embarrass the banks, to depreciate the currency, to impair the public credit by providing for the payment of bonds in paper or silver, and to adopt such legislative measures with regard to dishonest silver coinage that 45,000,000 silver dollars, 11 per cent. below the value of gold dollars, are accumulating month by month, embarrassing the Treasury, and compelling the erection of new vaults, amidst the smiles and wonder of the world. Upon the tariff question they are now, and recent history shows them to be, thoroughly unreliable. In 1880, while the Republican party committed itself unequivocally to protection and pursued a consistent policy in that regard to a successful end, the Democratic management, after having inserted a plank in its platform to the effect that the tariff should be for revenue only, afterward allowed its presidential candidate toward the close of that campaign to issue a letter in which he held himself out as personally in favor of protection. To-day there is no appearance of a more consistent purpose. The editor of one of the most influential Democratic papers shrieks unmusically against the "robber tariff," the Speaker of the last Democratic House argues pleasantly in favor of strong *incidental* protection, and the prospective Speaker of the next Democratic House, after having hinted on past occasions his advocacy of free trade, now begins to melt—more and more visibly

as he approaches the Speaker's chair—into a comfortable state of friendship for *moderate* protection.

Without adverting to the various inconsistencies between the "weak Federal Government" ideas of the Democratic party and their declarations in favor of a "strong foreign policy," "protection of American citizens abroad," and "National encouragement of commerce," I will conclude with the brief consideration of a subject which, in its neglected importance, I cannot, as an American citizen, conscientiously overlook; besides, it has a practical bearing upon the subject under discussion.

With natural resources for the purpose scarcely equalled by those of any other nation in the world, our shipbuilding interests and American ocean transportation of merchandise to and from foreign ports have been allowed, through the inaction of all congresses, in the absence of a strong national navy and as the effect of unwise legislation, to decline into a condition of almost complete decay. In 1857 goods of the value of \$510,340,000 were carried in American vessels, \$213,518,000 in foreign vessels. In the calendar year of 1881 American vessels carried goods to the value of only \$234,311,000, and foreign vessels had in the meantime increased the value of their transportation to \$1,239,647,000. In 1850 the entire tonnage built by the United States was 265,351; in 1880, with an increase of 25,000,000 in population, and \$500,000,000 in commerce annually, the entire tonnage had been reduced to 109,978. These are startling figures, and threaten us with great commercial disasters in the future. Observe our position: On land, our transportation interests are at the mercy of the American aristocracy; at sea, they are at the mercy of foreign nations. Such an evil as this is better than a fable of Æsop, for it bears two morals in its train. One teaches us how the useless legislation of our aristocratic patricians in favor of their immediate *turba clientium* can crowd out so much of that which is useful to the entire nation at large. The other teaches us how shallow are the reform pretensions of our Democratic management, when so many of their congresses have allowed this terrible wrong to go unremended, and in the teeth of a reform cry upon that very point in its platforms for the last six and twenty years.

Such being the undisputed facts, I may venture to suggest that the result of the November elections was no more a "vindication of the methods of the Democratic party" than was the revolution of 1688 an

indication that the English people were particularly enamored of the house of Hanover rather than disgusted with the house of Stuart. If the past of the Democratic party does not show that its temper, policy and spirit are incompatible with honest reform, there is no standard, no guide, no test by which to judge the actions of men. "Good Republicans" see the hollowness of Democratic pretensions. "Good Democrats" appreciate the corruption of Republican administration. The time has come when these good people should also understand their own party organizations; should see how they stalk through the National forum like ghosts of their dead selves, with their faces turned toward the past. Such a spectacle is nothing new; it merely illustrates the phenomenon to which Burke alluded when he said:

I might further exemplify the possibility of a political sentiment running through various states and combining factions in them, from the history of the middle ages in the Guelphs and Ghibellines. These were political factions originally in favor of the Emperor and the Pope, with no mixture of religious dogmas; or if anything religiously doctrinal they had in them originally, it very soon disappeared, as their first political objects disappeared also, though the spirit remained. They became no more than names to distinguish factions; but they were not the less powerful in their operation, when they had no direct point of doctrine, either religious or civil, to assert.

The limits of this paper will not permit a discussion of future probabilities, nor, indeed, have I the temerity or ability to undertake so great a task. Without claiming the possession of the attributes of an angel, I yet fear to tread incautiously what has been the stamping ground of many foolish persons in their endeavor to furnish complete horoscopes of politics. Of some things we may all be very sure. Our Guelphs and Ghibellines are powerful to-day; but they are pretentious and useless, and the unprejudiced Mercutios of our citizens sadly echo the cry:

. . . a plague o' both your houses,
You have made worm's meat of me.

We may clearly see lying in the dust at our feet the brightest and safest principles of both Republicanism and Democracy, trodden upon and neglected. We may see a million weary faces turned anxiously towards the future; a million eager hands ready, at the *reville*, to raise those principles up again into new life and meaning. The "lamp of history is the only lamp to guide our feet in safety." It gleams with no uncertain light. It shows us how, under our peculiar forms of government, each new great policy requires a corresponding new birth

of sentiment to uphold it, and a corresponding dynastic change. It shows us how political youth, unselfishness and honor are its essential factors. It shows us the present existence of actual disintegration, and points to the shadowy form of the regeneration that must inevitably follow.

LINCOLN L. EYRE.

CORRUPTIBLE ELEMENTS IN THE SUFFRAGE.

WHERE the will of the people is the supreme law, and this will is expressed at the ballot box by those who are allied to contending political organizations, the character of the result must depend upon the degree of intelligence and faithfulness exercised by the mass of voters, and upon the ease with which majorities can be determined by the improper control of those who are ignorant or venal.

What has been aptly termed "the saving common sense of the people," as indicated in recent elections, can undoubtedly be depended upon to secure right results whenever that saving common sense can be called into exercise. But if it is not exercised, because of prejudice, force of habit, apathy, or for any other reason, occasion is clearly afforded for the growth of abuses which the adroit and unscrupulous politician will not fail to perceive and profit by. If, at the same time, political power is very nearly balanced between the dominant parties, as is most likely to be the case under such circumstances, an opportunity for the exercise of controlling power is placed in the hands of corruptible voters, under the guidance of those who have used the necessary means for determining their action.

From this point of view, the history of political parties affords instructive information. It will be found that each of these, from the foundation of the Government, has had its origin in exceptional influences working upon the popular mind, and has been organized for the purpose of giving potential expression to the feeling thus created. Did the forces which thus have power to call great political organizations into being become permanent and active, the combination of circumstances which gives dangerous power to the elements referred to would be impossible. But we find that the influences which create parties sooner or later cease to control them, while the parties themselves continue to be powerful factors in politics.

If this survival—as is rarely the case—is due to other influences of equal importance with the first, as when a party which has accomplished its original mission is manifestly called upon to undertake another, there still is little danger to be apprehended from the elements in question. But it seldom happens, under such circumstances, that a party brings to its work, however important, the moral strength which it originally possessed. That which is most likely to occur—as experience clearly indicates—is that, under the direction of political managers whose fortunes are at stake, it will continue to live, because the opposition presents no issues of sufficient moment to permanently win its members from their allegiance; because of the habits of mind which lead men to cling to old associations; and, to some extent, because of the idea that it has an important work yet to do, in preserving the fruits of former achievements, or in preventing the evils which would, supposably, attend upon the success of the opposition.

Parties may thus continue in existence, with no distinct issues between them of real importance, until they have so far drifted from their original purposes as to present to the impartial observer the spectacle of rival organizations whose chief object, in each instance, is the possession of power, and which vie with each other in the construction of platforms ingeniously contrived to satisfy all shades of opinion, but painfully free from any evidences of sincerity, unless in the utterances expressive of partisan feeling.

The first great party in American politics—the Federal—was the outgrowth of the long line of influences which led to the adoption of the present Constitution, and was borne into power by the apparent necessity of defending at the ballot-box that which had been gained as the result of inestimable suffering and sacrifice. The overwhelming importance of the principles involved in the cause which they espoused brought the great body of the patriots of that day together upon a common platform and made them one in face of imminent peril.

Having accomplished the great object of its founders, by securing the safety of the Constitution, this party continued to live after it had undergone radical changes in principle, and was the passive instrument, in large measure, of men ambitious for power. That which was true of the Federal party has to a large extent been characteristic of all its prominent successors. Coming into existence as the result of influences which had the force of tidal waves, they have re-

adjusted political relations, changed settled opinions and methods of action—sometimes hereditary—and led men into new alliances, to change which, even when the new party has ceased to represent a policy worthy of support, would once more require the impulse of an issue of paramount importance.

The voter having attached himself to a party, either as the result of convictions formed under exceptional circumstances, or for the same reason that he accepts a religious faith—because his father has done so before him—falls naturally into a habit of loyalty which can be broken only under the exceptional circumstances indicated. In this fact we have the explanation, in a large measure, of the remarkable unity and strength of party organizations, after the bonds arising from a great and a common purpose, and a fixed policy, have long ceased to exist.

An organization which has accomplished its original mission, and lives on in the absence of a great purpose, has reached the stage where demoralization begins; and this process, in the nature of things, will commence with its leaders. Guided by men called to the front under the inspiration of questions of great moment, and whose integrity and unselfishness are beyond question, the ambitious and unscrupulous members of a party will at first be under restraint; but, in proportion to the remoteness of the occasion which called them forth, such leaders are displaced by men possessed, perhaps, of equal talent, but less conscientious as to its use, and filled with an insatiable hunger for power.

Such men, regarding their personal fortunes as linked with party success, meet in private conferences, study the field in which they are to operate, and arrange for an offensive and defensive campaign with the skill and adroitness of experienced strategists. Carefully selected lieutenants are intrusted with important commissions, assigned with reference to their supposed abilities to prove themselves useful, and such a policy is adopted as seems best calculated to hold present members to their allegiance and to win those who are without attachments.

This condition of affairs gives rise to local organizations, composed of office-holders, aspirants for office, and others united with these two classes for the furtherance of interests in part or altogether selfish. Again, moved by common interests, these local organizations enter into league and extend their influence to general politics.

Thus arise two influences, the one emanating from the managing power in the councils of the whole party, and the other originating in the mercenary spirit and the unhallowed ambition of those who are nearest allied to the masses among the membership. These are naturally drawn together in an iniquitous union for the accomplishment of ends primarily, if not wholly, selfish, and for the attainment of which party managers are prepared to use, without scruple, whatever means give the best assurance of success.

In this union of selfish and mercenary elements we find the anomaly of a party within a party, having distinct interests and a life essentially its own, and yet so adroitly managed as to cause the very acts which are the sign of its separateness to appear to be, and to be accepted as, the legitimate exercise of the functions of the body proper.

To use a simile, a parasitic organism taps the arteries of the original body, diverts its life currents into its own veins, and, in proportion to its growth, gives back for the life taken a vitality, peculiarly its own, by means of which it controls and exercises the functions of the greater organism—mouth, stomach and liver—for its own alimentation.

This illustration may point to an extreme, but that it is apposite can hardly be denied. It is evident, as intimated, that such a condition of affairs can only exist when the life of a party presents evidence, more or less marked, of decay. The signs of decay thus presented, as well as the parasitic growth referred to, may be traced through various stages during which the progress of disintegration on the one hand, and of growth on the other, may not be clearly observable. It is when these processes have reached an advanced stage, prior to the time when they have become so evident as to threaten disintegration, that a corrupt political organization within a party exerts its most malign influence. The absence of an honorable purpose, and the artful expedients resorted to for the maintenance of organization, do not afford conditions favorable to the development of either patriotism or statesmanship; and when a party arrives at this stage of its history, it will be found, with honorable exceptions, that its master-spirits—men of talent and shrewdness—are adepts in the arts of the politician, ambitious to maintain and enlarge personal power, and easily tempted to the use of means for accomplishing their ends which are dishonoring to those who use them, degrading to those subject to their influence, and destructive of good government.

When the managing elements in the principal parties are thus engaged in a common struggle for power, and there are no issues of great importance to influence individual action, lines will be frequently broken as the result of local causes, leading, in many instances, to the more or less permanent establishment of uncertain elements, whose power is sufficient to make the issue of elections doubtful. When such emergencies arise, the control of a sufficient number of votes to offset the number in doubt, and to insure a majority of those cast, becomes the object of first consideration in the mind of the political manager. To accomplish this result, recourse is had to measures calculated, in the first place, to arouse party feeling, and thus prevent the increase of the doubtful element; and in the second place, through the agency of mercenary men possessing influence in local affairs, to control the votes of the ignorant and venal. Specious appeals to the respectable elements, so adroitly framed as to furnish reasons for adhering to the party in whose favor long continued associations and prejudices plead with equal or greater force, are relied upon to accomplish the first end, and, to secure the second, a system of barter is established under which inducements for the support of a particular party or candidate are offered, which extend from the promise of political preferment to disguised or direct bribery. Careful computations are made as to the number of votes required to insure party success in doubtful localities or States, and the means to secure that end are devised with a painstaking care worthy of a nobler cause. Patronage is judiciously dispensed in such manner as to win the largest amount of coöperation from men of local influence; and provision is made, with equal wisdom, for the distribution of election funds, chiefly contributed by those selfishly interested—candidates for office, occupants of office, contractors, etc.—to be used in such manner as select committees composed of men apt in political *finesse*, and charged with the widest discretion, may deem most advantageous. The element which it is thus sought to control is sometimes referred to as “the balance of power,” and the material composing it is worthy of consideration. In the first place, we shall find that the men of local influence whose services are brought into requisition, while they represent neither the patriotism, culture or manhood of the community, possess, perhaps, the semblance of these qualities; are gifted with powers which fit them for the leadership of the classes to be influenced, and are prepared, without scruple, to make such use of the means placed at their disposal as

will, from their point of view, best promote the interests of the party. We shall find, in the next place, that the class upon which these subordinate leaders exert their influence is composed of the ignorant or vicious elements in the voting population, whose action can be controlled by appeals to prejudice or party feeling, or by the expenditure of money in the direct or indirect purchase of votes.

There is, of course, the independent element already referred to, which is not subject to corrupt influence, and whose vote, as cast on this side or that, would seem to constitute an element of sufficient importance to fatally interfere with the calculations of the politicians. But, as has been indicated, this force is taken into account, and except in instances where its strength has been underestimated, or is suddenly developed by unexpected circumstances, as in the late elections, it cannot be regarded as constituting, in the politician's meaning of the word, the balance of power. Evidently, whenever the strength of the leading parties is very nearly balanced, the control of the corruptible elements in the suffrage becomes a question of the first magnitude.

The conditions under which such control becomes possible merit a degree of attention which they have not hitherto received, and by the giving of which information may be acquired that will interest if it does not alarm.

In confirmation of the opinions expressed in this article the following table is submitted, showing for the several States, 1st. The total number of males twenty-one and over, and the number and per cent. of the same who are illiterates; 2d. The total number of voters at the general election in 1880, a year chosen as presenting the fairest relative exhibit of party strength, and the majority or plurality of the successful party; 3d. The per cent. of change in the total vote in 1880 necessary to have reversed the results; 4th. The actual number of voters by which a change in the results would have been effected; 5th. The electoral vote as cast in 1880; 6th. The number of electoral votes which will be cast in 1884:

TABLE I.

EASTERN AND MIDDLE STATES.											
States and Territories.	Male twenty-one years of age and over.			No. persons voting Presidential or at Territorial election 1880.		Per cent. of change in vote necessary to reverse result.	No. votes necessary to change result.	Electoral vote 1880.			Electoral vote 1884.
	Total.	Cannot write	Per cent. cannot write.	Total.	Majority or plurality.			Garfield.	Hancock.	Total.	
Connecticut. R.....	177,291	10,197	5	132,770	2,656	1	1,328	6	....	6	6
Maine. R.....	187,323	8,564	4	143,853	8,868	3 1/8	4,440	7	....	7	6
Massachusetts. R.....	502,648	31,892	6	282,512	53,245	9 1/2	26,700	13	....	13	14
New Hampshire. R.....	105,138	5,306	5	86,363	4,058	2 1/3	2,030	5	....	5	4
New Jersey. D.....	300,635	19,462	6	245,928	2,010	1 1/2	1,010	....	9	9	9
New York. R.....	1,408,751	80,966	5	1,104,605	21,033	1	10,525	35	....	35	36
Pennsylvania. R.....	1,094,284	72,830	6	874,783	37,276	2 1/4	18,650	29	....	29	30
Rhode Island. R.....	76,898	7,624	9	29,235	7,416	13	3,710	4	....	4	4
Vermont. R.....	95,621	6,813	7	65,098	27,251	20 1/2	13,650	5	....	5	4
Totals.....	3,948,589	243,654	6	2,965,147	163,813	2 1/8	82,043	104	9	113	113

WESTERN STATES.											
California. R.....	329,392	29,472	8	164,226	78	2 1/10	40	1	5	6	8
Colorado. R.....	93,608	3,916	4	52,532	2,803	22 2/3	1,403	3	....	3	3
Illinois. R.....	796,847	49,807	6	622,312	40,710	3 1/3	20,360	21	....	21	22
Indiana. R.....	498,437	38,102	7	470,678	6,641	1 1/10	3,325	15	....	15	15
Iowa. R.....	416,658	17,211	4	322,706	78,059	12 1/4	39,040	11	....	11	13
Kansas. R.....	265,714	13,621	5	201,019	61,731	15 1/3	30,870	5	....	5	9
Michigan. R.....	467,687	28,182	6	352,441	53,890	7 2/3	26,950	11	....	11	13
Minnesota. R.....	213,485	12,736	5	150,771	37,321	12 1/2	18,670	5	....	5	7
Nebraska. R.....	129,042	4,092	3	87,355	26,456	15 1/4	13,240	3	....	3	5
Nevada. D.....	31,255	2,367	7	18,343	*879	2 1/2	440	....	3	3	3
Ohio. R.....	826,577	47,414	5	724,967	34,227	2 1/3	17,120	22	....	22	23
Oregon. R.....	59,629	3,674	6	40,816	671	1 10/11	336	3	....	3	3
Wisconsin. R.....	340,482	21,695	6	267,172	29,763	5 1/2	14,890	10	....	10	11
Totals.....	4,468,813	272,289	6	3,475,338	373,235	5 1/8	186,684	110	8	118	135

SOUTHERN STATES.

Alabama. D.....	259,884	120,858	46	151,507	34,509	11 $\frac{1}{4}$	17,423	....	10	10	12
Arkansas. D.....	182,977	55,649	30	106,229	18,828	9	9,560	....	6	6	7
Delaware. D.....	38,298	6,742	17	29,333	1,033	2	586	....	3	3	3
Florida. D.....	61,699	23,816	38	51,618	*4,310	4 $\frac{1}{3}$	2,219	....	4	4	4
Georgia. D.....	321,438	145,087	45	155,651	*49,834	16	25,000	....	11	11	12
Kentucky. D.....	376,221	98,133	26	264,304	44,849	8 $\frac{1}{4}$	21,772	....	12	12	13
Louisiana. D.....	216,787	102,932	47	97,201	*30,803	13 $\frac{1}{2}$	15,817	....	8	8	8
Maryland. D.....	232,106	46,025	19	172,221	*15,191	4 $\frac{1}{2}$	7,739	....	8	8	8
Mississippi. D.....	238,532	111,541	46	117,078	40,896	18	21,000	....	8	8	9
Missouri. D.....	541,207	59,683	11	397,221	55,042	7	27,805	....	15	15	16
North Carolina. D.....	294,750	124,702	42	241,218	8,326	1 $\frac{1}{2}$	4,321	....	10	10	11
South Carolina. D.....	205,789	106,934	51	170,956	54,241	16	27,352	....	7	7	9
Tennessee. D.....	330,305	105,549	31	241,827	20,514	4 $\frac{1}{3}$	10,398	....	12	12	12
Texas. D.....	380,376	92,754	24	241,478	98,383	20 $\frac{1}{2}$	49,502	....	8	8	13
Virginia. D.....	334,505	131,684	39	211,996	12,810	3 $\frac{1}{2}$	6,454	....	11	11	12
West Virginia. D.....	139,161	22,885	16	112,713	11,148	5	5,635	....	5	5	6
Totals.....	4,154,035	1,354,974	32	2,762,551	499,317	9 $\frac{1}{8}$	252,583	....	138	138	155
Grand totals States.....	12,571,437	1,870,927	15	9,203,036	1,036,365	5 $\frac{1}{4}$	521,310	214	155	369	403

TERRITORIES.

Arizona. D.....	20,398	2,572	12	7,701	*489	3 $\frac{1}{2}$	245	....	....	....	....
Dakota. R.....	51,603	1,888	3	28,426	*9,456	16 $\frac{2}{3}$	4,730	....	....	....	....
Idaho. D.....	14,795	1,188	8	6,617	*1,514	11 $\frac{1}{2}$	755	....	....	....	....
Montana. D.....	21,544	893	4	14,170	*1,428	5	716	....	....	....	....
New Mexico. R.....	34,076	17,677	51	20,397	*1,273	3 $\frac{1}{6}$	640	....	....	....	....
Utah. M.....	32,773	2,493	7	19,925	*17,203	43	8,610	....	....	....	....
Washington. R.....	27,670	1,768	6	15,823	1,797	5 $\frac{2}{3}$	900	....	....	....	....
Wyoming. R.....	10,180	244	2	7,667	147	1	75	....	....	....	....
Totals.....	213,039	28,723	13	110,801	116,104	18	18,061	....	....	....	....
Grand totals.....	12,784,476	1,899,640	15	19,303,837	11,052,469	5 $\frac{7}{10}$	529,371	....	....	....	....

R.—Republican.

D.—Democrat.

* Majority.

† Exclusive of Utah.

By examining this table it will be seen that twenty States cast for the Republican candidate for President, electoral votes to the number of 214, while eighteen States cast 155 for the Democratic candidate, resulting in a Republican majority of 59, a result which would have been reversed by a change of thirty votes. How easily this change could have been effected will be apparent from the figures submitted in Table II. In the nine States of the first six groups, as shown in

TABLE II.—CHANGES REQUIRED TO HAVE REVERSED THE RESULT OF THE PRESIDENTIAL ELECTION IN 1880—REPUBLICAN STATES.*

<i>States.</i>	<i>Required change in popular vote.</i>	<i>Per cent. of change in total vote.</i>	<i>Electoral vote of State.</i>	<i>Vote in Electoral College as the result of the change indicated.</i>		
				<i>Dem.</i>	<i>Repub.</i>	<i>Dem. maj.</i>
1. New York	10,525	1	35	190	179	11
2. { California	40	1-200	3	.....	.....	.....
{ Oregon	336	9-100	3	.....	.....	.....
{ Indiana	3,325	7-10	15	.....	.....	.....
{ Maine	4,440	3 $\frac{1}{8}$	7	.....	.....	.....
{ New Hampshire	2,030	2 $\frac{1}{3}$	5	.....	.....	.....
Total	10,171	.....	36	178	191	13
3. { Pennsylvania	18,650	2 1-7	29	.....	.....	.....
{ Oregon	671	9-100	3	.....	.....	.....
Total	19,321	.....	32	187	182	5
4. { Pennsylvania	18,650	2 1-7	29	.....	.....	.....
{ California	40	1-200	6	.....	.....	.....
Total	18,690	.....	35	190	179	11
5. { Wisconsin	14,890	5 $\frac{1}{2}$	10	.....	.....	.....
{ Indiana	3,325	7-10	15	.....	.....	.....
{ Connecticut	1,328	1	6	.....	.....	.....
Total	19,543	.....	31	186	183	3
6. { Pennsylvania	18,650	2 1-7	29	.....	.....	.....
{ Indiana	3,325	7-10	15	.....	.....	.....
Total	21,975	.....	44	199	170	29
7. { Ohio	17,120	2 $\frac{1}{3}$	22	.....	.....	.....
{ Wisconsin	14,890	5 $\frac{1}{2}$	10	.....	.....	.....
Total	32,010	.....	32	187	182	5

* Including California.

this table, to have controlled respectively 10,525, 10,171, 18,321, 18,690, 19,543 and 21,975 votes, would in each instance have reversed the result; and to have secured the change of votes indicated in the table, in the States of New York, Pennsylvania, Wisconsin, Indiana, Maine, New Hampshire, Connecticut, California, Colorado and Oregon, in all 55,564 votes, would have secured control of 111 electoral votes, or nearly one-third of the whole number. To have secured the changes indicated in the vote of Ohio and Wisconsin as well would have transferred 143 electoral votes, more than one-third

of the total number, a result secured by a change of only 87,574 ballots in the States named.

Other equally suggestive figures may be derived from this table, but these will suffice to indicate the precarious tenure by which the Republican party has maintained its power in the States where it is supposed to be most strongly intrenched, and the temptation offered in these States to men of both parties for the use of illegitimate measures for securing control of votes. If we turn to the States constituting what has been termed "the solid South," and to the Democratic States of the North, we shall find, as shown in Table III., vulnerable

TABLE III.—CHANGES REQUIRED TO HAVE REVERSED THE RESULT IN THE PRESIDENTIAL ELECTION IN 1880—
DEMOCRATIC STATES.*

<i>States.</i>	<i>Required change in popular vote.</i>	<i>Per cent. of change in popular vote.</i>	<i>Electoral vote of State.</i>
New Jersey	1,110	$\frac{1}{2}$	9
Nevada	440	$2\frac{1}{8}$	3
California	20	1-100	6
Delaware	586	2	3
Florida	2,219	$4\frac{1}{3}$	4
Maryland	7,739	$4\frac{1}{2}$	8
North Carolina	4,321	1 4-5	10
Virginia	6,454	3 1-20	11
Tennessee	10,398	$4\frac{1}{3}$	12
West Virginia	5,635	5	5
Arkansas	9,560	9	6
Louisiana	15,817	$13\frac{1}{2}$	8
Total	64,301		85

* Including California.

points in the Democratic line, the possession of which by the opposition would go far to overcome the gain suggested as possible in the foregoing calculations. From the figures in this table it is evident that had the Democrats gained the vote of New York and lost that of Nevada, Delaware, Florida or California, requiring a change of 23,500 votes at most, or had they lost North Carolina, New Jersey, Maryland, Nevada and California, requiring a change of only 13,550 votes, they would still have failed to secure control in the Electoral College. If, however, they had lost the votes of all the States named in Table III. excepting California and gained the votes of the States named in Table II., the results otherwise remaining unchanged, they would have had a majority in the Electoral College of one-vote.

Those who have not been close observers of the political field for the last few years may find in these calculations, and others of equal significance which may be based on the accompanying tables, an explanation, in part at least, of the efforts of party leaders to hold or

capture doubtful States by the use of means calculated to control (and at the same time increase) the corruptible vote. In this condition of affairs we find also an evidence and, in large measure, a result, of the widespread disaffection of the better elements in the two parties. That conscientious and intelligent voters should be contributory to results which their action is intended to prevent, is true because, and will be true only so long as, they constitute a minority insufficient for the complete control of party action, but of sufficient importance to make the results of elections uncertain. Unfortunately, the strength of this saving element in politics, as evidenced by the history of parties, while sometimes, as recently demonstrated, capable of effecting sweeping and wholesome changes, is oftener represented by the modicum of votes needed in order to perpetuate the conditions of uncertainty, and thus to favor the plans of the political schemers and hucksters who seek to turn the scale of power by traffic in votes. Nevertheless, in the figures of the tables which we submit, taken in connection with the results of the elections in October and November, there may be found indications pointing to radical and, it is to be hoped, wholesome changes in party organization.

Without attempting to present all of the deductions derivable from these tables, we select a few of the most significant.

It will be observed, 1st. That an aggregate of small majorities in nine doubtful States, amounting to a few more than 55,000 votes, or a little over one-half of 1 per cent. of the total presidential vote of 9,203,036, determined the choice of 111, or nearly one-third, of the members of the Electoral College in 1880; 2d. That a change in the popular vote of from 10,000 to 20,000, or from one-eighth to one-fourth of 1 per cent. of the presidential vote in the year named, would have changed the administration of the National Government; 3d. That the States in which it was possible, by the use of proper or improper means, to effect the changes indicated, in 1880, as in 1876, were the battlefields of the politicians, who employed every stratagem for the retention or capture of votes which could be resorted to without so far offending the self-respecting members of their parties as to endanger serious revolt.

These facts assume even more significance when we remember that the power to effect the momentous and startling changes indicated, has been, and in most if not all instances is now, not only in the hands of ignorant and venal voters, but that to assure their ascendancy as controlling elements in politics requires the

united action, in the States named, of but a small fraction of these elements.

A comparison of the per cent. of change in the popular vote necessary to reverse political results with the percentage of persons of voting age unable to write, as shown by the last census, will furnish a partial indication of the dangerous drift of power. By reference to table I. it will be seen that these percentages stand related to each other in the States named in Table II., as follows: California, $\frac{1}{20}$ of 1 per cent. to 8 per cent.; Oregon, $\frac{9}{100}$ of 1 per cent. to 6 per cent.; Indiana, $\frac{7}{10}$ of 1 per cent. to 7 per cent.; New Hampshire, $2\frac{1}{3}$ per cent. to 5 per cent.; Maine, $3\frac{1}{8}$ per cent. to 4 per cent.; Pennsylvania, $2\frac{1}{2}$ per cent. to 6 per cent.; Wisconsin, $5\frac{1}{2}$ per cent. to 6 per cent.; Connecticut, 1 per cent. to 5 per cent.; Ohio, $2\frac{1}{3}$ per cent. to 5 per cent.; and for the States named in Table III., as follows: New Jersey, $\frac{1}{2}$ of 1 per cent. to 6 per cent.; Nevada, $2\frac{1}{2}$ per cent. to 7 per cent.; Delaware, 2 per cent. to 17 per cent.; Florida, $4\frac{1}{3}$ per cent. to 38 per cent.; Maryland, $4\frac{1}{2}$ per cent. to 19 per cent.; North Carolina, $1\frac{4}{5}$ per cent. to 42 per cent.; Virginia, $3\frac{1}{20}$ per cent. to 39 per cent.; Tennessee, $4\frac{1}{3}$ per cent. to 31 per cent.; West Virginia, 5 per cent. to 16 per cent.; Arkansas, 9 per cent. to 30 per cent., and Louisiana, $13\frac{1}{2}$ per cent. to 47 per cent.

It is evident that in each of these States the percentage of change in the popular vote, by which results would have been wholly reversed, is much less than the percentage of illiterates of voting age, while in many instances it is but a small proportion of that number. It is proper to remark that a considerable difference is observable between the number of actual voters and those of voting age; but this fact affects the significance of the percentages above given but slightly, if at all, and it remains true that a fraction only, and in some instances a very small fraction, of the vote cast by illiterates alone would have been sufficient in the States named in Tables II. and III., to have turned the scale of power. Granting that illiteracy and venality are not necessarily allied, the fact remains that illiterate voters are peculiarly susceptible to corrupting influences, and that the number of such voters who may, without doubt, be improperly controlled, is alone sufficient in most of the States in question to wield controlling power.

When we add to this dangerous factor the active and mischievous element composed of the vicious and venal who are not illiterate, we find ourselves confronted with a force which was unquestionably

strong enough, in the absence of any special effort to counteract its influence in 1880 and in 1876, to have reversed the results of elections in twenty-one or more States, and to have changed the national administration, as well as the governing power in those States.

The fact that the corruptible elements in the suffrage are to a very great extent massed in the large cities and towns, where they are most easily susceptible to the influences of the political trader, gives additional importance to the facts hitherto presented.

Pains have been taken to ascertain the relative importance of these elements in fifteen cities of the States to which attention has been specially directed, with the results shown in Table IV.

TABLE IV.—THE CORRUPTIBLE VOTE IN FIFTEEN CITIES.

<i>State</i>	<i>City.</i>	<i>Votes subject to improper influence.</i>	<i>Votes necessary to have changed result in State in 1880.</i>
New York.....	New York.....	30,000	10,525
Pennsylvania.....	Philadelphia.....	21,000	18,650
Massachusetts.....	Boston.....	9,500	26,500
Ohio.....	Cincinnati.....	4,000	3,760*
Louisiana.....	New Orleans.....	13,500	15,817
Connecticut.....	New Haven.....	1,400	1,328
Maryland.....	Baltimore.....	11,000	7,739
Indiana.....	Indianapolis.....	2,000	3,325
New Jersey.....	Newark.....	1,800	1,010
Virginia.....	Richmond.....	5,000	6,454
California.....	San Francisco.....	5,200	630†
Rhode Island.....	Providence.....	2,500	3,710
Oregon.....	Portland.....	550	336
Nevada.....	Virginia City.....	500	440
New Hampshire.....	Manchester.....	950	2,030

* Based on Hayes' majority, 1876, of 7,516. † Based on total Democratic majorities, Congressional election, 1880.

The number of illiterates of voting age is derived from the census of 1880, and the number of voters not illiterate, but whose action is subject to improper influence, added to make the total, is based on the careful estimates of those whose opinion may be accepted as reasonably accurate. Assuming that the votes subject to manipulation are not overstated—and the contrary is believed to be true—the control of one-third of the corruptible vote in the single city of New York in 1880 would have decided the political control of that great State, of thirty-five votes in the Electoral College, and of the National Government. In the States of Pennsylvania, Ohio,* Connecticut, Maryland, New Jersey, California, Oregon, Nevada and New Hampshire, the same vote was sufficiently large to have controlled in State elections, and to have decided the casting of one hundred and four votes in the Electoral College. Including the State of New York, it

was in the power of this dangerous element in 1880 to control the general elections of ten States and one hundred and thirty-nine electoral votes, while, as shown by the table, the results in five other States, with fifty-one additional electoral votes, were in jeopardy.

That the ignorant and unprincipled voters in fifteen cities, numbering less than 120,000, as compared with the 9,203,000 citizens who cast their ballots in the national election in 1880, could, and with unchanged conditions may now, determine the political control of fifteen States and of the National Government as well, would seem incredible but for facts which fully warrant such a conclusion.

In calling attention to the mercenary elements whose growing strength is a menace to good government, we have yet to consider a power which is rapidly assuming grave importance as a political factor.

Within a comparatively recent period the ambitious and unscrupulous politician has found a powerful ally in his schemes for personal aggrandizement in rich corporate bodies, which make profitable use of his prostituted talents and baneful influence in furtherance of schemes by which legislative and judicial action may be made subservient to their plans. That which was a gross evil when the chief interests which it served were the ambitions of political leaders is made vastly greater by this corrupt alliance. We have seen judges, elected through the machinations of these allied elements, shamelessly confess the influence to which they owe the ermine by prostituting their sacred office to the purposes of those who have given them place; and we have witnessed the shameful spectacle of legislatures, under the manipulation of greedy corporations, setting the seal of their approval in the name of the people, on measures of the most obnoxious character. So well recognized are the instrumentalities depended upon for the accomplishment of these iniquitous perversions of legislative power, that the body of men used for the purpose have come to be known as "the third house," a distinction which, as shown in the bribery investigations recently conducted at the capitol of the State of New York, they would seem to regard as more honorable than infamous. It is a homely but true saying, that "Where there are no sellers there will be no buyers." It may be taken for granted that in the absence of purchasable men in the legitimate houses, the "third house" would find its avocation gone, and cease to exist. It may also be assumed that as long as cunning knaves, with an eye to illegitimate gain, can slip through the deftly-regulated machinery of

the caucus, and secure the resultant support of "the party," an elective affinity will supply the third house with a sufficient number of members to prevent its dissolution.

It is impossible, within the limits of this article, to more than outline the condition of affairs threatened, or actually existing, as evidenced by the facts to which we have called attention. It is enough to know that cities, districts and States are under, or within reach of, the control of anomalous and unprincipled organizations, existing within, and determining the action of, the great parties; that the creatures of master politicians are installed in the place of the people at the caucus; that unworthy men, whose choice has been determined by cabals, are named upon the ballots which, in mockery of popular choice, we are asked servilely to put in the ballot-box "for the sake of the party;" that ambitious men, learned in the new school of politics, no longer seek popular approval on the ground of fitness and as a seal of public esteem, but find the way to preferment through the avenue of barter and at the price of the very qualities most essential in public servants, if the vital interests committed to their hands are to be saved from betrayal. In brief, the conclusions seem warranted that the political control of at least twenty-one States, and through these of the National Government, is to-day dependent, not upon the matured decisions of intelligent and patriotic citizens, but, in default of such action on their part as would prevent such a result, upon the ability of unscrupulous managers, leagued for the purpose, by means of artifice, bribery or intimidation, to control a fraction only of the ignorant and corruptible elements in the suffrage; that the strongholds of ignorance and vice are now, and with unchanged conditions will continue to be, the fields in which the results of struggles for party supremacy are determined; that ignorance and vice are putting on the robes of power, and are gaining the mastery over intelligence and virtue as controlling factors in our politics; and that the presiding genius in effecting this perilous malversation of power is the demagogue sitting in the place of the statesman.

Ignorant and vicious men, intrusted with any degree of power, have ever been the natural dupes or easy tools of unprincipled adepts in statecraft, but never, in any age or under any form of government, has it been possible for so small a minority of such men to wield so great an influence as in the United States to-day.

There are indications of an approaching change in the circumstances which make it possible for such regal power to pass into the

hands of a few men, through their ability to control the suffrage of a very small and irresponsible minority. But there are thus far no evidences that this change will be anything more than temporary. Public sentiment has manifested itself in one of its spasmodic awakenings, and the result may be the temporary retirement from public view of those who represent the elements of corruption and misrule; but in spite of anything yet attempted in the name of reform, however desirable of accomplishment, by civil service or other organizations which seek to change results instead of causes, the corruptible elements in the suffrage, and the race of unprincipled politicians identified with them, will continue to exist; and so long as the millennial day is postponed, knaves, and the tools and dupes of knaves, in politics as elsewhere, may be expected to improve every opportunity for evil doing which the absence of law, its imperfections, or its inefficient execution, may afford. Recognizing the inevitable existence of the mercenary and mischievous minority of which we have spoken, true wisdom would seem to indicate that, instead of attempting to remedy the evils which are simply the signs of its existence, it would be well to strike at the root of the evils by adopting measures calculated to deprive this minority of its power.

This result cannot be accomplished by the mere change of party control, or simply by enactments affecting the civil service, whose provisions may be easily evaded by the officers charged with their execution. Corruption here is directly due to the improper use of executive authority. The opportunity for this abuse of power results from the election to office of unworthy men; and such elections are due to a caucus system which permits, at this point, the domination of corrupt men, and the defilement of the very springs from which come the influences that inevitably determine the character of executive and legislative action, and all of the momentous issues involved in the choice of rulers and law-makers.

So long as it is possible for cabals to determine the result of caucus action, and in the name of great parties to thrust upon the people improper candidates for office, such candidates, in the caucus and at the polls, strengthened by alliances with each other and by bargains with corrupt men already in office, will unhesitatingly use every means in their power by which the corruptible elements in the suffrage can be made contributory to the success of their schemes; and, by the law of trade which establishes the relation between supply and demand, just as long as a caucus system which has power to determine the character of laws, but is itself under no legal restraint,

gives opportunity for political hucksters to traffic in votes, so long will base and groveling men be found who will sell for a price the control of their rights as freemen; and meanwhile, those who are thus elected to office, will continue to use their influence for the corruption of the civil service.

Political reform, if it is to be radical and permanent, must, therefore, begin at the source of power nearest to the people, or with the influences which, in the choice of men for places of public trust, determine, in advance of official action, whether such action will be wise, patriotic, unselfish and generally conducive to good government, or the reverse. In other words, to deprive the corruptible elements in the suffrage of their present power for evil requires, first of all, a reform in the caucus system, or the substitution in its place of something better, as the result of which the candidates chosen for suffrage, and then for office, will at least represent the choice of the majority; and a patriotism, intelligence and honesty equal to that of the greater number of those who exercise the right of suffrage.

HENRY RANDALL WAITE.

THE PEERAGE OF GREAT BRITAIN.

THE peerage, or aristocracy, of the United Kingdom of Great Britain and Ireland consists of an indefinite number of members, it being the prerogative of the crown to create such peers *ad libitum*. All such sit in the House of Lords by hereditary right, unless the limitation in the patent creating the title is expressly confined to the life of the recipient, in which case he has no right to a writ of summons to the House, but is simply a titular lord. There are, however, some modern exceptions to this rule, created by a recent statute, to which we shall have occasion to refer hereafter. The Scotch and Irish peers are represented in the House of Lords by a select number chosen out of their respective bodies, forming, as it were, separate or special electoral colleges; the former elected for the duration of each successive Parliament, but, like the members of the House of Commons, eligible for reëlection—the latter chosen for life. The number of Irish peers forming the constituency by which the representatives are chosen is limited by the Act of Union, but the number of Scotch peers, like that of the peers of the United Kingdom, is unlimited. The royal prerogative to create peers is, in practice,

never exercised except under the advice of responsible ministers, it being obvious that, if exercised arbitrarily, this branch of the legislature might at any time be coerced and its independence destroyed. The greatest circumspection is, therefore, at all times observed in the exercise of this prerogative. It may here be mentioned that any Irish peer not elected to the House of Lords, may, as was the case with the late Lord Palmerston, relinquish his rights of peerage for the time being and sit in the House of Commons as the representative of any English constituency. This is an alternative privilege that the Scotch peers do not enjoy, probably because at the period of union with Scotland the privileges of the Commons were not so much prized as afterwards.

This body forms the only ennobled, the only privileged class—the only aristocracy, if by that word is meant, according to its etymology, the government of the best in its conventional, though, perhaps, not necessarily in its literal sense—the government of the favored few, of the privileged or ennobled section of the community, the government of the ἀριστοι as distinguished from the κάκιστοι, socially, if not politically, speaking.

The archbishops and bishops of the Church of England, who sit in the House of Lords by virtue of their offices, or rather by virtue of the tenure of their sees as fiefs of the crown, upon resignation of which, though still bishops, they cease to be lords of Parliament, are neither noble nor peers, but simply spiritual lords without privilege of peerage, though, while in possession of the temporalities of their sees, forming a portion of the grand council of the nation. Their number is, however, limited to twenty-six, all beyond that number having but a prospective right to fill vacancies according to seniority, with the exception of the two archbishops and the bishops of London, Winchester and Durham, who take precedence of all others, and are entitled to take their seats immediately upon their appointment. Now, as property has its duties as well as its rights—the one being a correlative of the other—so nobility, as recognized in Great Britain, has its duties as well as its rights, not merely based upon the chivalrous sentiment that *noblesse oblige*, but based upon the right of the people to expect and demand good and substantial services from those honored and intrusted with high privileges involving grave responsibilities. To this end the aristocracy, nobility, or House of Peers, the terms being synonymous, form the senate as well as the final court of appeal in all litigation, whether between subject and subject or be-

tween crown and subject.¹ The total number of those thus privileged, including the Scotch and Irish peers, whether actually having seats in the House of Lords or represented there by their delegates, and even including the twenty-six bishops and archbishops before mentioned, does not amount in the aggregate at the present day to more than about 600 (about 500 of whom have seats in the House), numerically an almost infinitesimal factor out of 35,000,000 of people. As has been said before, this court of appeal forms the highest judicial tribunal for the United Kingdom. However anomalous these hereditary functions, both legislative and judicial, may appear, the simple question is, does the institution effect the desired end—does it work well, does it give satisfaction? The records of its transactions alone can give the reply. Those records evidence to every impartial inquirer that the reports of the committees of the House of Lords are masterpieces of diligent research, of syllogistic analysis, of practical recommendations and of businesslike deductions. The debates of the Upper House exhibit no lack of eloquence, of rhetoric, of practical acquaintance with the wants of the people, of sympathy with suffering humanity. Bills somewhat crudely considered in the House of Commons are not infrequently ably and practically revised in the House of Lords; sometimes even judiciously suspended for more mature consideration. The greater leisure and the calmer repose, unruffled by

¹ Although originally all the bishops and mitred abbots of the realm were summoned to the king's councils by virtue of their sees, holden as fiefs of the crown, and still sit in the House of Lords upon the same tenure *theoretically*, their presence has also always been deemed necessary as guardians of the church, at one time paramount, and even now an established national institution. The inferior or parochial clergy were at all times practically excluded from legislative functions by the very nature of their spiritual duties, and by the 41st George III., c. 63, were absolutely disqualified for seats in the House of Commons, even though they might be unbeneficed and desirous of withdrawing from clerical duty. The mere fact of being in holy orders, which were deemed indelible, was a sufficient disqualification. The above statute has been repealed by 33 and 34 Vict., c. 91, permitting those clergy who have formally renounced their orders to be eligible for election to the Lower House. Still, such seceding clergy could scarcely be considered as representing even the temporal interests of the church; and to the bishops, therefore, there attaches, as of old, the duty of specially regarding and supervising any legislation affecting its interest as a national institution. One more remark: The Lords, upon an understanding embodied in resolutions of both houses of Parliament, never interfere to alter money bills sent up to them by the other House, but pass them *nem con.* They fully acknowledge that the people should be left to tax themselves through their representatives. Moreover, peers are not eligible as voters for members of the House of Commons, and it would be deemed unconstitutional for any peer to interfere, either directly or indirectly, to influence the election of a member of Parliament. Of course, there is a sort of moral local influence that may be respected, but any ostensible preference exerted on behalf of a particular candidate would be considered very unseemly, and might possibly be the subject of impeachment.

popular excitement and, perhaps, the harrassing importunities of exacting constituencies, may lend their aid to the fitting discharge of senatorial duties; but, without in the least disparaging the qualifications of the Lower House, perhaps neither House need suffer in comparison with the other in the due discharge and special exercise of the respective functions forming the distinctive characteristics of each other. "Thank God, we have a House of Lords," is a saying that has become proverbial with all Englishmen who prize deliberation in council and independence in action as valuable and essential ingredients in legislating for the varied and sometimes conflicting interests of a necessarily complicated, because highly artificial, society of an ancient commonwealth, uniting the past with the present and adapting ancient institutions to modern requirements.

Whilst as a rule it may be said that, perhaps, every member of the House of Lords has had the opportunity of a good education, which, unfortunately, cannot be said of every member of a merely popular institution, and that solecisms of language and flagrant violations of Lindley Murray, much less the absolute slaughtering of "The King's English," are unknown to that august body, it is no reflection upon its general usefulness to say that some black sheep in morals are occasionally found there, although the House possesses, and has sometimes exercised, the power of expelling unworthy members; that all have not improved their educational opportunities as they might, and that some of its members are far below mediocrity in intellect. If it were not so, the body would not be human. It lays no claim to superhuman attributes. A few able, learned, wise and earnest men always rule the mass of their followers. Such men have never yet been wanting among England's nobles, and now, after an existence of eight hundred years, the institution is still, if not young and vigorous, far from being effete and worn out. To mention individuals might be invidious. The names of eminent statesmen, both past and present, of the British House of Lords must be like household words to the whole world. The judicial business of the House is wisely left to a sort of voluntary committee of eminent members of the legal profession, headed by the Lord Chancellor, and assisted by two, three, or four, as the case may be, paid and experienced former members of the judicial bench, who, like the bishops, are *ex-officio* members of the House, but only so long as they hold their office. Perhaps no judicial tribunal is more venerated or gives decisions more respected, on both sides of the Atlantic, than this high court of justice. And even in its

legislative capacity the House of Lords will ever be identified in the eyes of Americans with the vigorous protest of one of its members, the Earl of Chatham, against the continuance of the fratricidal war waged by England against her American colonies.

We are far, however, from saying that there are no anomalies in the constitution of the British House of Lords, its hereditary feature being apparently most incongruous with modern ideas, but we should remember that this grand council existed as the only Parliament long before the burgesses or commoners were represented in the legislative body; and that these feudatories at that time performed a duty rather than enjoyed a privilege. In one word, they fulfilled a feudal service. The custom on the part of the sovereign of summoning its feudatories, and at one time thus imposing an intolerable burden, entailing expenses of retinue and subsidies of money, established at length a coveted hereditary claim and privilege, for none but the greater barons were summoned, and as their fiefs were hereditary and could not be alienated *inter vivos* without the king's leave, nor yet could be disposed of by will, these tenants *in capite* of the king were virtually summoned from the earliest period by hereditary succession to the fief; and thus in asserting for themselves a privilege, or rather a right, have the peers in their time done good service to the people, "and the people know it." The British nation is not yet unmindful of Runnymede, nor forgetful of that class which wrung from an otherwise despotic monarch the great charter of their liberties. Such hereditary counsellors formed at one time the only barrier against royal aggression, even to the very deposition of the monarch himself (witness, the deposition of Edward II. by this great national council), the burgesses, even when subsequently admitted to legislative functions, being powerless in themselves to resist the royal encroachments, whereas a recalcitrant baron would sternly challenge the crown to deny his hereditary right of summons to the national council, where he would assert his independence even at the point of the sword if deemed necessary. Summonses are still issued every successive Parliament to all those peers who have established their right to seats in the Upper House, so careful is the British Constitution to preserve even the semblance of forms and ceremonies, the symbols at one time of the developing germs of subsequently expanded liberty, but not the less, even now, to be revered as the grain of mustard seed which eventually acquires all the attributes of a denizen of the forest, so that the fowls of the air are glad to seek refuge in its branches.

But *mutatis mutandis*, still are the young heirs of peerages taught from their cradles to bear themselves worthy of their high calling. They generally undergo a long course of legislative training in the House of Commons during their fathers' lifetime, and enter the Upper House, probably in the prime of life, having gained legislative experience in the popular assembly and acquired habits of business in the duties of its committees. It is true that occasionally a youth of twenty-one becomes entitled, through the premature decease of his predecessor, to take his seat as an hereditary legislator in the Upper House, but unless he is all but absolutely devoid of common sense, he is discreet enough to keep silence and sit for a time at the feet of the Gamaliels of the day, remembering that "fools" alone "rush in where" even "angels fear to tread."

We have thus feebly endeavored to describe the only aristocracy known to the United Kingdom, viz., a body consisting, at the present time, of not more than six hundred educated gentlemen, striving, as a rule, and not altogether without effect, to do their duty. Their so-called privileges consist of freedom from arrest for debt—an exemption shared by them with members of the House of Commons, and, we believe, incident to every legislative assembly, indeed, we might almost say by the whole community, the barbarous custom of taking the body of a creditor in pledge being now happily all but obsolete; a right of trial by their peers in all cases of treason and felony—a right which no constitutionalist could deny them, but one which is also all but obsolete in the present day; and a right to demand a personal audience of the sovereign. We believe one noble lord has even the right of remaining covered in the presence of majesty; but inasmuch as for the last forty-five years the sovereignty has been represented by a lady, we have no doubt the noble lord in question, like a true gentleman, would, upon meeting her majesty, waive his privilege and pay that respect to the sex which, at all events, that uncompromising Quaker Penn declined to pay to his sovereign liege Charles II., when the king, finding his favorite obdurate in respect to the removal of his broad-brim in the king's presence chamber, at length compromised the honest scruple by saying: "Friend Penn, only one person can remain covered in this room," accompanied by an immediate doffing of the royal *chapeau*, plumes and all, leaving the stickler for principle, as embodied in outward forms, master of the situation.

But the complaint of privilege in connection with the British aristocracy is too ridiculous to be worthy of serious comment.

It is frequently said that John Bull loves a lord. Of this, however, we may feel well assured that John Bull's affection would not have lasted so many hundred years unless he had derived some solid benefit from the alliance, for however numerous may be John's virtues, he has never yet been charged with cherishing an undying affection for his enemies.

With the exception of the personal privileges just mentioned, the titular dignity is the only distinctive difference between the peer and the commoner in general society. His rank gives the peer a precedence in all public ceremonial and in all formal entertainments. This rank is shared by his wife, and in a manner reflected upon his children, so far as social etiquette and titles of courtesy are concerned, but merely as a matter of courtesy, regulated, however, according to the table of precedence formulated by the sovereign as the fountain of honor. In the eye of the law, however, not only in the letter, but in the spirit, the children of peers or noblemen are themselves but commoners, with no other civil rights than those enjoyed by any other class of citizens or subjects. Baronets and knights we need not take into account, as they are, in fact, but the possessors of empty titles, for the most part conferred, doubtless, for merit, although the oldest baronets bought their titles for £1,000 of James I., who wanted money, and at the same time wanted to colonize the Province of Ulster, in Ireland. He consequently created this comparatively modern dignity, and offered it, together with a tract of uncultivated land in that province, for the above sum to any adventurer who was ambitious of being at once a landed proprietor and a titular hybrid, neither plebeian nor yet patrician. The same system was adopted for the colonization of Nova Scotia. Baronets, therefore, as enjoying dignity without privilege or corresponding duty of any kind, and with no legal means of asserting their right even to the empty honors, if disputed, are not only the most modern of all orders of titular distinction, for knights are of great antiquity, but, beyond the right of precedence at court and in society, have nothing but the prefix of "Sir" and the postscript of "Bart" to distinguish them from the rest of mankind. They form, at least, no part of the British nobility or aristocracy. Plutocracy is sometimes confounded with aristocracy, but this is a mere vulgar error, and in open violation of all lexicographical definition and immemorial usage. The worship of Mammon may thus popularly deify the *nouveaux riches*, but it finds no echo or authority in the British Constitution. We desire to

confine ourselves, in considering this subject, to the strict legal definition of the word aristocracy, especially as understood in England by constitutionalists, and not as extended by popular usage.

The French revolutionists, when they had, by the guillotine, confiscation and terrorism resulting in emigration, effectually exterminated the real aristocracy, conjured up a mythical one by branding as an aristocrat any man somewhat richer than his neighbor, and in like manner a man cleverer than his neighbor is still frequently opprobriously stigmatized as a Jesuit; but with such loose and irrational modes of expression it is impossible to deal either logically or seriously. We proceed, however, to speak of a very important class that are frequently thus confounded with the aristocracy, even by educated persons.

There is a large class of gentry, untitled and unprivileged, who enjoy no other civil rights than those possessed by other members of the community, but, being well educated and, generally speaking, possessed of considerable estates, naturally wield much moral influence and give a tone to provincial society. Many of them bear historical names, and for many generations have held the same position, and, through early associations, have acquired and retained a degree of refinement that entitles them to move in the very best society. Socially there is no distinction between them and the ennobled class beyond the titular precedence freely accorded to those who have received some special mark of the sovereign's favor. But yet this bare formal right of precedence will not in itself, without the accompaniments of culture and good breeding, be a sufficient passport to the society of England's gentry. The latter, however, are not the aristocracy of the country, in the proper sense of the word. On the contrary, they rejoice in the name of, and are proud to be known as, the commoners, and have a history of their own recorded in the annals of their country. Their estates have for the most part been honorably acquired, either by themselves or their ancestors, and are held by the same tenure and governed by the same laws as those of any yeoman or even peasant proprietor. By a prudent foresight they retain, improve and transmit their property to their posterity; but in any case this devolution is governed by the same laws as are open to and applicable to the rest of their fellow-subjects, peer and peasant alike. Undoubtedly they, together with the clergy of the Established Church, form the backbone of England's social fabric. These country gentlemen perform in turn the duties of High Sheriff.

They are also generally Justices of the Peace, hold courts of Quarter Sessions for the trial of prisoners and for appeals against the decisions of inferior courts, especially against assessments and other local imposts. They are also *ex-officio* Poor Law Guardians, Trustees of the county lunatic asylums, hospitals, etc.; have the supervision of the jails, organize the county constabulary and officer the militia and yeomanry cavalry, many of them having been officers in the regular army, and all this without fee or reward. In one word, they are known as the "Great Unpaid." Possessing no legislative powers or privileges, they are selected, but not as of right, as the honored instruments for executing the law.

The aristocracy proper is constantly recruited from the brain power from below. The eminent lawyer, the gallant soldier or sailor, the historian, the poet, the novelist, the statesman, the great financier, the successful merchant, will frequently be promoted to a seat in the Upper House. The assembly thus composed is the sole aristocracy—a component part of the British Constitution, consisting of Sovereign, Lords and Commons, which for at least five hundred years has ruled the destinies of Great Britain.

It is but a few years since the son of a country barber, who at one time followed his father's humble calling, "who shaved, drew teeth and breathed a vein," sat as President of the House of Lords; and a former Chief Justice of England, of similar tonsorial genealogy, had previously been added to the roll of the "brave peers of England, pillars of the state."

The worse than useless herd of privileged nobles, having rights without duties, privileges without responsibilities, such as once swarmed like locusts throughout continental Europe, devouring the substance of the land and poisoning the fountains at which they slaked their thirst, breeding pestilence, famine and destitution, both moral and physical, has ever been, thanks be to God, unknown in England; but, although an aristocracy at once of birth, good breeding, education and statesmanlike capacity, such as England now possesses, might possibly be supplanted by a different organization for the better, it is also quite possible that the result of such an experiment might only verify the old adage of "going farther and faring worse."

It only remains to add that not only does the same land law prevail for all classes, peer and peasant alike, any purchaser of land having the right to dispose of it during life or by will in any way he pleases,

either entailing it within the limitations allowed by law, distributing it at pleasure or permitting it to pass by legal devolution according to the rule of primogeniture, unfettered by any conditions, but even foreigners, unnaturalized and who have never set foot on England's soil, may do the like, and also may trace their right to inherit through foreign ancestors; indeed, so liberal are the land laws in this respect that nothing short of the lack of means precludes any human being, from the poles to the equator, from becoming a lord of the soil and rivaling the aristocracy itself in the display of boundless wealth, with all the caprices and eccentricities in which the peculiar idiosyncrasy of its possessor may see fit to indulge. But we are somewhat digressing from the main subject, although the possession of land is generally so associated in the public mind with the position of nobility that it would have been scarcely fair to avoid all allusion to that which, although but an incidental, is the occasion of much misapprehension. Although it would be unfortunate were the House of Peers composed for the most part of "lack-lands," yet such a social catastrophe *might* arise, the possession, much less any special mode of tenure, of land forming no ingredient in the composition or constitution of that body.

The special rights and duties of the aristocracy or nobility in England consist solely of the honored but arduous, and, we fear, in some respects ungrateful, task of legislating for the welfare and happiness of the whole community. No special rights of property, power of entail, claims to office, or exemption either from taxation or from the duties and liabilities of simple citizenship, except where the exaction of the latter would be inconsistent with the discharge of duties of a more important character in connection with their legislative functions, are either sought or enjoyed by the British nobility who form the sole aristocracy of the United Kingdom.

HUGH WEIGHTMAN.

P. S.—It is sometimes said by those inimical to the institution of the House of Lords that that branch of the legislature never initiates any measure of public utility. The answer to that assertion is that, in the present Parliament and during the last session, that House not only initiated, but passed, two bills of the utmost importance to the social interests of the kingdom, viz., the Settled Lands bill and the Married Woman's Property bill—measures admitted by society at large to be worth all the struggles of political party.

A DEFENSE OF AMERICAN SHIPPING.

AGRICULTURE, manufactures and maritime commerce are considered the most fruitful sources of national importance and wealth. The country whose geographical position is most favorable for the prosecution of these industries and stimulates their growth by wise legislative enactments will become the most prosperous and the most advanced in refinement and civilization. Modern history teaches this lesson, and the present condition of the United States furnishes a conspicuous illustration of its truth. These several industries have been encouraged by the General Government and by State legislation at various periods in the hundred years of this Republic. Early attention was called to the necessity of a diversified industry and the importance of establishing an American system of political economy to encourage manufacturing and to render us more independent of foreign powers, and the operation of this system is protection to American labor. The wisdom of this policy needs no other nor any stronger proof than the present material welfare of the people of the United States.

Agriculture, with our vast domain, variety of climate and fertile soil, and inland commerce, have both been fostered by a system of internal improvements generously granted from time to time by the General Government. Manufacturers have been encouraged and multiplied in astonishing variety, and have reached a most gratifying degree of perfection through the aid of discriminating import duties. These two great industries of agriculture and manufacturing act upon and promote each other, for never, in the experience of this nation, have these interests been so remunerative as they are at the present time. But our maritime commerce demands further legislation to meet the changes and requirements of international trade and to compete with foreign steamships in ocean transportation, more particularly in our intercourse with Europe. Direct aid from the General Government in the form of subsidies for mail service, similar to those allowed by Great Britain and France, would seem to be the most effectual in building up a steam marine; and the removal of all unnecessary restrictions upon American tonnage of every description will render our ocean carrying trade, both foreign and domestic, more profitable to ship-owners, and tend to increase more rapidly our commercial marine. The revival of

ship-building within the last two years is already adding moderately to our marine tonnage. The increase the present year will be considerable. But this revival affords no excuse for relaxing the efforts now being made to protect an interest so national in its character as our maritime commerce, nor until we have regained that commanding position as a maritime power that the United States formerly enjoyed.

It is pertinent to this discussion to advert to the causes which led to the decline of our foreign commerce and its long-continued depression. To the practical merchant they were evident enough, though they were the subject of much crude speculation among writers and legislators. These causes have been, and continue to be, either imperfectly understood or misrepresented by some of our political economists. Years before the commencement of our civil war Great Britain, through her iron-steamship building, had dealt our European carrying trade a heavy blow, under which it is still staggering. Subsequently, the destructive effects of the war were more evident in the reduction of our marine tonnage through absolute losses by capture and by transfers to foreign account; but, long after these had ceased to operate, the question continued to be asked in many forms, "Why does not our shipping interest revive?" It needed no ghost to come from the grave to solve that problem. If the intelligent ship-owner and the ship-builder had been asked, their simple reply, in the every-day language of trade, would have been, "It does not pay." And it could not have been expected of shrewd business men that they would increase or continue an industry, or invest their capital in the ocean carrying trade without adequate remuneration; for there were several years within the last eight in which, if the American ship-owner could have had English sailing vessels, either of wood or iron, given to him, he could not have employed them in the foreign carrying trade at a profit. It was a time of general depression of business in other countries, when the supply of tonnage was greater than the demand, and when many of the iron steam and sailing vessels of Great Britain were lying idle in tiers in some of her harbors, waiting for employment. But the American ship-owners, for the most part, kept their vessels moving, and in many instances at a pecuniary loss, rather than see them hauled up and depreciating at the docks. They could not successfully compete even with foreign flags for the limited business offering or the low rate of freights; and why? The American ship-owner would have told you that his sailing vessels of wood—though of less cost than the foreigner's of iron—

were more expensively appointed, officers and crew better paid, more liberally provisioned and more efficiently manned; in short, it cost more to run them, and capital could be more profitably employed in other industries. Our maritime commerce, like all other kinds of business, was subject to the imperious law of trade—supply and demand. Hence there was no revival in our foreign carrying trade in eastern waters and iron steamships were monopolizing the freight-ing business between this country and many of the principal ports of Europe; but now, in long voyages, we are beginning to realize a turn of the tide, and our wooden sailing ships are finding more profitable employment.

Through all the dull period of ship-using which we have noticed the important industry of ship-building did not entirely cease, as some of our writers in favor of "free ships" are swift to declare; and in their zeal to sustain the cause of free trade are trying to make it appear that this once great industry of ship-building and the foreign carrying trade amounts to nothing—that its decline is an absolute loss to the country—willfully disregarding the fact that the labor released from these particular employments had sought other channels of industry in which both capital and labor were needed; and among them may be mentioned our inland commerce, which has so marvelously increased within the last fifteen years. A serious check there has been, we admit, to our foreign commerce, but no impoverishment of the nation. Had it been otherwise there would have been no employment for the immense immigration from the old world, and we should have heard our own laborers and mechanics uttering their complaints. But, instead of this gloomy picture, we find that labor was never in better demand throughout the country than it is to-day, nor better paid. The decline in ship-building and in the foreign carrying trade, though impairing one source of our national wealth, was by no means so discouraging as was represented; nor has it been attended with financial loss to the country, as has been recently asserted. American capital has been more profitably employed. The "panacea" for a revival of our maritime commerce is not to be found in "free ships;" neither is the assertion true that we have seen the last of wooden sailing vessels. One of these free-trade writers, in his recently published work, "Our Merchant Marine," says: "Wooden vessels are things of the past, and all the facilities which may be claimed for the United States in respect to the construction of such vessels will, therefore, count for nothing." Further

on he remarks: "It is idle, therefore, to expect relief to our shipping interests by further fostering of the construction of wooden vessels. About a million and a quarter of American wooden sailing tonnage is reported as yet engaged in foreign trade; but it needs no prophetic gift to foresee that it is doomed to continuous loss, and is destined, at no distant day, to rot at our wharves."

This, certainly, is a most discouraging view of the present condition and prospects of our foreign carrying trade; but, happily, facts, and the present experience of our ship-owners and ship-builders, do not justify it. These reckless assertions and gloomy predictions, like many other kindred remarks in this volume, exhibit an unfriendliness toward a great American industry which would hardly be expected from an intelligent and patriotic citizen. Without calling particular attention to the opinions of the author of this book, this paper, as originally conceived, will serve in some measure to correct representations so unfavorable, so prejudicial, one-sided and extravagant.

First—With regard to the present status of American wooden sailing vessels. For the last two years, at least, the foreign carrying trade in long voyages has been moderately remunerative to ship-owners, and, as a consequence, it has encouraged ship-building, particularly in New England. Some of the results of this foreign freighting business to ship-owners in one of our seaports in Massachusetts are officially known to the writer. The sworn returns of sixty-seven of their owners and agents, in Newburyport, represent a net income from their vessels (aggregating 33,331 tons admeasurement) engaged in the foreign carrying trade for the year ending May, 1882, of 17 per cent. on their value as estimated by the city assessors. The usual depreciation for the time, of course, will reduce this percentage. These returns were made in accordance with a State law, which went into operation the present year (1882), exempting the personal property in vessels engaged in the foreign carrying trade from local taxation, and taxing only the net income derived from such employment. The propriety of this legislative act may be seriously questioned, on the principle of equity in local assessments, under a system which is recognized in the State Constitution of Massachusetts. For, if one kind of investment for business purposes is exempted from a local tax, it would seem but just to include others of equal merit; and, if a merchant marine is a national benefit, such a relief from taxation should be given in the shape of a bounty from the General Government.

Second—There is a marked revival of ship-building on our New

England coast at the present time, particularly in Maine and Massachusetts. In the district of Bath, for the year ending with 1881, there were built over 36,000 tons of wooden vessels; more than half of this tonnage was in large-class ships, expressly intended for the foreign carrying trade. The amount built the present year, and under contract, will considerably exceed 40,000 tons. Ship-building is the chief industry of the city, and gives support to its 10,000 of inhabitants. Ship-building in Massachusetts may be mentioned by a further reference to Newburyport. In sight of the writer of this paper is a large new ship just leaving the wharf for our commercial metropolis to load for the Pacific coast. She is the longest merchant ship that was ever built on the Merrimac, a locality in which this important industry of ship-building was commenced in the earliest days of the colony, and which is famed the world over for the excellence of its naval architecture. This ship, of 2,000 registered tons, is framed in oak, and covered chiefly with hard Southern pine, and her rate is first class for fifteen years (I particularize, because this industry is far-reaching in its benefits, using the material and labor, to a considerable extent, of Southern States, and promoting our domestic commerce). Her contract price, ready for sea, with a liberal outfit, may be stated at \$55 per ton. Now an iron sailing vessel of a superior class will cost to-day, on the Clyde, £14 per ton. Here is a difference of at least \$15 per ton in favor of the American sailing vessel of wood. In view of the first cost, the question is pertinent: Have we seen the last of wooden ships? In their construction, at least 80 per cent. of their entire cost is American labor in thirty or forty of the different mechanic arts; and is it to be questioned that this industry deserves encouragement. Advantages are claimed for iron over wooden sailing ships; but, when these are investigated, they will be found to amount to little, if anything. It is said iron sailing ships, in seeking freights in Eastern waters, obtain a higher rate. A slight advance is sometimes secured over the wooden ship, but this advantage is often reduced to a simple preference for the iron vessel in some foreign ports; and, as to the delivery of East India goods, we are assured by experienced ship-masters that they are landed from wooden ships of a good class in a drier condition, usually, than from those of iron. The latter load deeper in the water, and are often uncomfortably wet in the waist of the vessel. It is true iron ships have the first-class rate for twenty years, and have the advantage of a little less premium for insurance on hulls, because insured against a total

loss only, but on cargoes the rates paid are about the same in both. Improvements in the construction of our American wooden ships, looking to the qualities of strength and durability, and superior facilities in working them, have been so marked that, in classifying them, they obtain the highest rate for fifteen years, when formerly they were only given eleven.

Third—With regard to the construction of iron steam vessels. The difference in the first cost of building an iron sailing vessel is so much greater than one of wood, as I have stated, it is hardly probable that the building of the iron sail ships will be undertaken for the present in this country. But the progress already made in constructing iron steam tonnage assures us that English steamships are not to have the monopoly of the European carrying trade much longer. The experience that our builders are gaining in this new industry, coupled with the energy of our workmen and the reduction in the cost of capital, will enable the American manufacturers of iron tonnage to successfully compete with the builders of Great Britain. England has been experimenting with iron steamships for more than thirty years, generously aided throughout this long period by subsidies from the Government, and this aid is still continued for mail service. Give the American builders but a quarter part of this time and equal encouragement and it is not unreasonable to predict a successful rivalry and a good share of ocean steam transportation for our home-built tonnage. The difference in the cost of building iron steam vessels on the Delaware and on the Clyde may soon be entirely overcome. Testimony given before a committee, which reported to Congress in February, 1881, declares "that the cost of the American-built steamships will not exceed 10 or 15 per cent. of those built in England." Mr. Roach, the builder, more recently confirms this statement, putting the difference at 12 per cent. Meantime it is gratifying to the friends of home industry to learn that the amount of iron vessels constructed the present year will add materially to our maritime tonnage. Nearly 20,000 tons of ocean steamers, of iron, have been built on the Delaware during the year ending June 30, 1882, and over 40,000 tons of iron steamers of all classes in the United States. The Government report also gives an increase of 108,199 tons of shipping (wood and iron) for the same time. Since 1877 the coastwise tonnage of the United States has been increasing, and the reduction in the number of American vessels employed in the foreign carrying trade is less than 5,000 tons for the last year. Within the last five years more than 80 American vessels have been sold to

German merchants, aggregating over 100,000 registered tons. These were wooden ships, and mostly of large tonnage. The next report of the Government, doubtless, will show a larger increase in our merchant marine. The increase will come chiefly from the ship-yards on the Delaware and from Maine and Massachusetts. Ship-building, simply, is an important industry, and of much greater value than the employment of seamen in ship-using. It is a source of wealth to the country. It has been estimated that nearly, or quite, 90 per cent. of the cost of an iron steamship is labor alone. The most of the labor is performed in this country, but nine-tenths of the seamen employed in American vessels in the foreign carrying trade are foreigners and have no home in the United States. The wages given in this employment are not a sufficient inducement for American citizens to follow that occupation, except in the hope of promotion to a higher position on shipboard. Better wages are given in our coastwise trade, and, as a general thing, we must rely upon this branch of our commerce for American seamen to man our national vessels in seasons of emergency and to protect our extensive seacoast in time of war. The exclusion of foreign vessels from our coasting trade is a wise provision in our navigation laws, and is of vital importance to our safety and independence as a nation, while it gives protection to American labor. Patriotic and thinking people of this country cannot help viewing with displeasure any attempts of our own countrymen to degrade so important an industry as American ship-building for the purpose of supporting their theory of free trade. The advocates of "free ships" are aiming a blow at our American system. The tree is known by its fruits; and, judging, as we must, of the beneficial effects of protecting home labor and our industrial interests for the last twenty years, we are warranted in the conclusion that if this policy had not previously suffered interruption the nation would have been in wealth and power far in advance of what it is to-day. American ship-builders have led the way in constructing the best wooden vessels in use, and they will retain this supremacy so long as the American forests, north and south, yield the best materials and the cheapest, and the inventive genius and skill of American mechanics continue to furnish the earliest and greatest improvements in naval architecture. And so with regard to iron ship-building. What a suicidal policy it would be to go to the ship-yards of Great Britain for iron steamships when we have the principal material at our own doors and the ability and greater energy to fashion it. The shortsightedness and folly of such a course could

only be exceeded by importing the manufactured materials from England to construct a railway over the coal and iron beds of Virginia and Pennsylvania.

Of our three great sources of national wealth, maritime commerce has been for many years the least productive; but it is beginning to have a more prosperous outlook, and the question forced upon us is, what further measures can be taken to regain the advantages we formerly enjoyed in the foreign carrying trade? Ten years ago Congress enacted that several articles, to be used in the construction and equipment of American vessels for employment in the foreign trade, might be imported and taken out of bond free of duty. The materials named are "lumber, hemp, manila, and iron and steel rods, bars, spikes, nails and bolts, and copper and composition metal." Our ship-builders are deriving some benefit from this enactment. The question of further relief has been much discussed in our public journals, and by commercial men in our chambers of commerce and boards of trade and in Congress, and a joint committee was appointed at the last session to inquire into the wants of the ship-building and ship-owning interest. It is hoped such aid has been rendered by practical business men, in answer to the questions proposed by Mr. Cox, of New York, one of the committee, as will lead to favorable legislation to relieve our shipping of serious and unnecessary burdens, especially those bearing upon the foreign carrying trade. Among these is the law requiring three months' extra pay to sailors discharged in foreign ports. As originally intended many years ago, when our vessels were manned by native seamen, it was a humane act to provide for their return when left in a destitute condition in foreign ports; but it is no longer needed, and foreign sailors take an undue advantage of it to enforce discharges, oftentimes to the great detriment of American ships; and, if I am correctly informed, consuls have been known to share in the spoils.

Consular fees are required from our vessels in foreign ports much in excess of those paid to the consuls of other governments. These charges could be abolished entirely to the advantage of our foreign trade. As it is, they are a source of revenue which is not needed. The consular system is open to great abuses by the representatives of our Government, and causes much complaint.

Tonnage duties were imposed as a war measure to increase our revenue. The million and a half of dollars derived from this source, a large proportion of which is a net income to our Government, would

aid essentially in restoring our foreign trade. Our ship-owners should be relieved of this burden.

Customs charges might be reduced to the advantage of our shipping interest. The tonnage tax and other dues bear with great severity sometimes on small vessels temporarily employed. I will give an instance, very recently come to my notice, which will illustrate this statement: A vessel of a hundred tons, during the season engaged in the fisheries, is now on a trip to one of the British provinces. Her tonnage tax and customs charges incident to a change of papers at her home port will reach, on her return, \$40, a large sum to add to the expenses of a trip of four weeks.

The local tax on ship property, where there are no exemptions on vessels employed in the foreign carrying trade, averages probably 2 per cent. I doubt the propriety of depriving a state or municipality of this source of revenue to build up our merchant marine, which is regarded as a national benefit. The relief from this tax should, however, come from the General Government in the shape of a bounty to vessels so employed. Mr. John Sherman, at the last session of Congress, proposed in the Senate "to exempt vessels built in the United States from all taxation to which foreign vessels are not subject." A local tax, no doubt, is a serious obstacle to the construction of iron steamships in the United States. Favorable legislation of this character would be of great practical value in fostering ship-building and ship-using in our foreign trade, for we have national resources superior to those of other countries for building either wooden or iron ships. Such a measure of relief should also be supplemented by subsidies from the Government for mail service. In affording this direct aid we should be following the wise examples of Great Britain and France, and recently even of Germany. The protective policy of the English Government in granting extraordinary pay for mail service for more than forty years, and which has been continued up to the present time, has directly aided in the construction of steamships, first of wood and subsequently of iron, and to such an extent as to engross the foreign carrying trade. How valuable this Government aid has been can be demonstrated by the success of the Cunard line of steamships, which were the pioneers in the North Atlantic mail service and passenger transportation. This line was commenced by building four wooden side-wheel steamers of moderate tonnage—not one-third of the capacity of the present iron steamships now employed. And it is said that thirty of these—about one annually—has been built from

subsidies and the profits of the business. Great Britain in 1850 was paying about £1,000,000 annually for mail subsidies. A few years later her ship-builders, encouraged by these compensations, began to experiment with iron steamships, and the great increase in her steam tonnage shows how successfully. The British Government is now paying about \$4,000,000 annually to sustain foreign and colonial lines, and France nearly \$5,000,000 for similar service; and by a recent law the French Government allows a bounty on ship-building of both wood and iron. Italy even is contributing to her steamship service over \$3,000,000 annually.

In view of this policy, pursued by foreign governments, to promote international commerce, and to sustain an efficient merchant marine, which can be converted into an auxiliary navy when necessary, it would seem as if Congress was urgently called upon to adopt similar measures to enable our merchants to regain the foreign carrying trade this country has lost through our civil war and the timely improvements made in iron steamship building by our successful rival for ocean commerce. It is clearly the true policy of our Government to aid, by adequate subsidies, in establishing American steamship lines for mail service, and to increase our maritime power; for it is not a little humiliating to our national pride when we reflect that a great republic of more than 50,000,000 of people is depending upon foreign nations to carry the ocean mails of the United States. Protection has been wisely afforded to our agricultural and manufacturing interests, to internal commerce, and to our coastwise trade, and the speedy removal of all unnecessary obstructions to a more favorable prosecution of foreign freighting will enable us to renew the important industry of wooden ship-building and ship-using as one of the great sources of national wealth.

C. J. BROCKWAY.

PAUL BERT AND THE JESUITS.

IT is often remarked that many questions had better be left uninvestigated, many truths remain untold. This, as a general statement, will undoubtedly meet with public assent, for it is no more than the avoidance of giving cause for public scandal; no more than the practicing of that charity which "suffereth long and is kind." Never-

theless, this wholesome limitation should not by its abuse be allowed to drift into mere sentimentality.

The simple fact that the probing of a question might entail unpleasant consequences to certain parties, that the proclamation of a truth might be disagreeable to those who by their own wrong may have rendered it so distasteful, does not, we think, exempt us from the duty of boldly and publicly proclaiming it, if so be that by such publicity we hope to accomplish some good.

The day in which the acts of bodies, ecclesiastical or laical, were thought to be too sacred for public scrutiny has gone by, and, thanks to our progressive development and present enlightenment, this theory has given way to another and a better one—that of public policy. All acts must conform thereto; whatever does not conduce to the general good and does not find its *raison d'être* in a striving to secure that end may, and should be, thoroughly exposed. Trials to-day are open and have displaced the Inquisitorial chamber and the *lettres de cachet*.

It is because of this changed, this improved, condition of things that we may, and because good rather than evil will follow publicity that we feel we must, offer the few remarks which follow to the candid and thoughtful attention of such as may be led to read them, hoping to contribute to the hastening of the day

* * * when such dread works of night,
Unmasked, shall be exposed to quail in light.

Several circumstances have led us to prepare this article, among them the advent of Paul Bert for a brief period to the post of Minister of Public Instruction in the Gambetta Cabinet, and the interest and astonishment awakened by a clear but brief article which appeared some time since in *Harper's Magazine*.

All who follow the political movements of Europe have read of the stand taken by the French Government in relation to the Jesuits; some, doubtless, know of the prominent part enacted by Paul Bert in the controversy; though but few, it is probable, are aware that he has published a book, of which thirteen editions have been issued, entitled "La Morale des Jésuites." It is of this book that we propose to speak.

In 1879 a new law concerning education, denominated, from the name of its author, the Ferry bill, was brought before the Chambers to be passed upon. Of principal interest was Article 7, of which the following are the exact words: "No person is allowed to take part in public or free instruction, or to have charge of any educational estab-

lishment whatever, if a member of a non-recognized [by the Government] religious order."¹ After a long and thorough discussion the bill was passed by the Lower House in its original form, but was amended in the Senate in such a way as to defeat the purpose of its framer. Recourse was then straightway had by the Government to laws still on the Statute Book, which were passed under the Bourbons, and which authorized the expulsion of the Jesuits. Active measures were adopted, and force was resorted to where moral suasion proved of no avail.

The Ferry bill was the inevitable outcome of the teachings to which children, both male and female, were *exposed* (the word is used advisedly) in many religious and semi-religious institutions in France. The Jesuits, however, were the principal society aimed at by Article 7, and the warrant of such an attack on them is what we are to endeavor to show.

On the 21st of June, and on the 5th and 7th of July, 1879, Paul Bert, who had been chosen President of the Committee from the Lower House to investigate the bill, made three memorable speeches. These it will be impossible to allude to here further than to say that they manifest a remarkable knowledge of the subject and a degree of readiness in answering captious interrupters rarely met with. One reference, nevertheless, is too noteworthy to be passed over in silence. In the speech of July 5th, while referring to a Book of Meditations² in use in many of the religious schools, Paul Bert was accused by one of the members of the opposition with dressing up his statements, whereupon he volunteered to quote literally from the book ("*je vais le lire tout nu*"). "Impossible!" exclaimed another of the members; "there are ladies and young people in the galleries." Then follows a brief but powerful answer: "I recognize it, and from that springs all my hesitation. But I confess that it is a strange situation to find one's self in a French tribune, before an assembly of men, in the presence of a gathering of adults, and not dare then to read what was composed and written to be read and meditated upon in private by a young person. * * *" ³ Does not the fact that followers of Him who

¹ "Nul n'est admis à participer à l'enseignement public ou libre, ni à diriger un établissement d'enseignement de quelque ordre que ce soit, s'il appartient à une congrégation religieuse non reconnue."

² Méditations sur la vie et les mystères de notre seigneur Jésus Christ, selon la méthode de St. Ignace. See Paul Bert's "Morale des Jésuites." Paris: G. Charpentier. 13th edition, p. 621.

³ See "La Morale des Jésuites," p. 623.

said "Blessed are the pure in heart" should allow to be published, with their sanction, teachings which a sensible man, before his peers, before the representatives of France, in the nineteenth century, is ashamed to read aloud, furnish abundant food for thought? We think that what follows will compel an affirmative answer.

We have before us the 13th edition of Paul Bert's work. It consists essentially of three parts: the preface; an abridged translation of Gury's "*Compendium Theologiæ Moralis*" (a well-known text-book of morals in use at the present day), with illustrations from the "*Casus Conscientiæ*," by the same author; and, lastly, the three speeches previously referred to, taken from the reports of the *Journal Officiel*. The attention of the reader is arrested at the very start by two apt extracts which speak for themselves, the one taken from the *Imago primi sæculi Societatis Jesu* (published with the authorization of the general of the order, Mutio Vittelleschi, 1640), and the other from the Decree of the Parliament of Paris, of March 5, 1762.

The preface is really the key to the whole book. It is the condensing into a few pages of an important part of Christian ethics as held up to the contemplation of the world by the Society of Jesus at the present time. Truly an edifying spectacle! And the remembrance of his dealings with the money-changers in the temple makes us fondly wish that the Master might again move among men were it only to drive from the modern temples the manglers of his doctrine. And yet many of these books, going forth clothed with the approbation of the Mother Church, are handed to the faithful for their earnest and prayerful consideration, while Bruno, because of the heliocentric theory which he adopted, and because of his endeavor to unmask hypocrisy, is "excommunicated, and delivered over to the civil authorities to be punished 'as mercifully as possible and without the shedding of blood.'"

Contrast the works of Escobar and Casnedi of old, or Gury, Rousselet, and the Short Catechism of Marotte, with the books on the "*Index Expurgatorius*," with its forty-eight editions of the Bible! There would be no loss by an interchange. The grand old Church of Rome, than which no other institution has done more for the civilizing of the race, must oft indeed have fallen into the Slough of Despond to have resorted to such means and to such friends. Might she not cry "Deliver me from them?" The world would shout "Amen!"

But we must hasten to meet the very natural objection that nothing

is easier than to prefer general and sweeping charges, especially against so public a body, by particularizing and by attempting to substantiate what we have said and what we shall say.

It is well to add that we have carefully examined M. Bert's book, armed, as we are, with an authorized copy of the seventeenth edition of "Gury's Compendium."¹ We have compared every statement relating to the latter with the original. We have not found a single instance of one which was false. Nay, more, we have proved for ourselves that each is an accurate translated quotation, either entire or abridged, in which, to a logical mind, there was every reason for the conclusion reached. The allegation of doctoring and falsifying of texts, which has repeatedly been laid at the author's door, striking him, in his capacity of scientist, in his most sensitive spot, is as infernal as it is unsustainable. But what of this! He laughs best who laughs last.

The force of M. Bert's courageous, brilliant, and scholarly attack will not be spent if perchance it encounter hair-splitting, casuistical quibbles, in all times the "*dernier ressort*" of a defeated and cornered antagonist.

Taking his book, therefore, as our guide, we charge that to-day, by their teachings, the Jesuits exert an influence which is—

First—Unchristian.

The Founder epitomized his teaching in his two great commandments: "Thou shalt love the Lord thy God with all thy heart, soul, mind, and strength, and thy neighbor as thyself. The second," he said, "is like unto the first." Again, "As ye would that men should do to you, do ye even so to them." Turning to these, his disciples—if, indeed, these words can be worthily applied to them—what do we find? The permission to take the name of the Lord in vain—that is, to lie under oath, provided the circumstances warrant.² Do the Scriptures specify? In their relations to the neighbors an intolerance in striking contrast to the spirit inspiring the Master's prayer when at the crucifixion, instead of crushing his persecutors, he cried out, "Forgive them, they know not what they do." What say these men? A Protestant, dying in a hospital where both Catholics and "heretics" are received, shall be denied his request to have a Protestant pastor sent for.³

¹ "Compendium Theologiæ Moralis." Auctore, P. Joanne Petro Gury, S. J. Editio decima Septima. Paris: J. B. Pelagaud. 1866.

² See Paul Bert, p. 148, and Gury, pp. 314-15,

³ See P. Bert, p. 86.

Besides these, and numerous other passages equally astounding, we find on perusing Gury and Rousselot a morbid fecundity of imagination prompting those worthy teachers to invent cases of moral depravity and filth such as no self-respecting writer could be willing to lay before his readers in a magazine article. For the convenience of such as may desire to see these things for themselves, we give, pp. 295-311, Vol. I., pp. 419, *et seq.*, Vol. II. (De Matrimonio), of Gury, and pp. 509-547 of Paul Bert. Is it an unfair assumption that we make when we say that such a power of invention postulates too intimate an acquaintance with the matter? The criminal always has a fear of being dealt with in the same way that he has treated his victim; none can so well embellish a story of evil with all the refinements of wickedness as the perpetrator. They show too great a knowledge of the subject in hand. Oh, the contrast between their teachings and the Sermon on the Mount!

O vos qui cum Jesu itis,
Non ite cum Jesuitis.

Second—Opposed to true liberty.

The spirit of freedom it is which prompted those words, now of world-wide reputation: "That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, *liberty* and the pursuit of happiness; that to secure these rights governments are instituted among men, *deriving their just powers from the consent of the governed*; that *whenever any form of government becomes destructive of these ends* it is the right of the people to alter or to abolish it, and to institute a new government." Similarly did that French political trinity arise, "Liberté, Egalité, Fraternité." It has taken men countless ages to rise to those conceptions; they have had to undergo varied disciplines and sore trials. Patriarchal, feudal and absolute monarchies—these have had their day. Castes and class distinctions, serfs and nobles—these are terms which belong not to our time. Was it not with a sigh of relief that the United States, about twenty years ago, expunged the blot on the pages of its history by the Emancipation Proclamation? Slavery is doomed.

It is not our purpose to charge Gury with a wholesale defense of slavery and the African trade. He is too wise, and we are attempting to be fair. But he does state that slavery in principle is not contrary to natural justice, and that though the traffic in the blacks be absolutely forbidden and contrary to this natural justice, *nevertheless* it is

not absolutely forbidden in principle in the case of negroes or others who are in the condition of *legitimate* slavery.¹ The thirteenth amendment to the Constitution of the United States takes a somewhat different view of the question.

There are and can be only two theories of sovereignty—that of power from above downward, and that from below upward—the former “by the grace of God,” the latter “by the will of the People.” It is needless to say that in practice the human basis has displaced the divine. Nevertheless, we find in Gury the old theory maintained, that princes hold their authority of God.² This, it may be thought, is innocent enough, and so, indeed, it would appear, but we shall have occasion to see how, in the hands of a skillful manipulator, the harmless element is extracted and the poison intensified. This brings us to our

Third point, in which we charge that these teachings have a grossly demoralizing influence.

Among Dissenters there has always been a feeling, more or less definite, of enmity toward the Jesuits. The very name is associated in the minds of many with “ways that are dark and tricks that are vain,” and the accusation that their moral code is not immaculate has repeatedly been brought against them. “Pascal’s *Lettres*” has become almost a text-book. But it is questionable whether there are many among their numerous enemies who could bring forward positive evidence to show that this opposition is warrantable to-day. This is what we are about to attempt. A word, however, at the start, to save us from being considered illiberal or extreme. As M. Bert truly says, many of their doctrines are such as we can fully indorse—many such as we should do well to put into practice. It is not with these that we will deal, for, as in the case of good spelling on the part of the school-boy, we take such for granted. But when a body of men, setting themselves up as teachers, some of them especially of youth, can mar the pages of their books with doctrines such as we have found, it behooves those who possess the information to communicate it to their fellows. It is in this spirit that we write what follows concerning the moral side of the Jesuit’s teachings.

One of their fundamental statements would appear, from Gury, to be their classification of consciences into those which are upright and those which are unsound. The latter are divided into vincibly and

¹ See Paul Bert, p. 173, and Gury, p. 371, Vol. I.

² See Paul Bert, p. 46, and Gury, p. 71, Vol. I.

invincibly unsound; the second are again distinguished according as they are either invincibly erroneous, which command, and invincibly unsound, which allow. The former should in all cases be obeyed, and the latter cancel all sin.¹ "Where there is no evil intention there can be no sin." Thus: "Adalbert confesses as follows: 'Desiring to kill my enemy Titius, I killed my friend Caius.' " What shall be said of him? He shall not be held to owe any restitution to the heirs of Caius provided he took precautions to kill no one else but Titius, and shall not be considered to have committed any sin.² It seems barely possible, however, that Christ's teaching might imply that he was guilty of murder in wishing in his heart the death of his enemy Titius. This would be but a difference of opinion between the Founder of the system and his disciple—between Christ and Gury. "Choose ye whom ye will serve."

Occult compensation may be just and allowable under certain conditions.³ A servant who does more than he should, may he find compensation in this way? Yes, if he works excessively because of the expressed or tacit command of his master.⁴ As to theft, in order that the case should be considered as relatively serious it must involve, 1st. The value of a franc for the poor and a little less for the very necessitous. 2d. About two or three francs for day laborers. 3d. Three or four francs for people in medium circumstances, etc. * * * According to public opinion, ten to fifteen francs must be involved to constitute an absolutely serious case.⁵ So far we have failed to discover by what mathematical principle this progression is deduced, what economic theory of repute it assists, and by what moral precept it is sustained—knowledge doubtless destined to remain forever concealed from the vast majority of human beings!

Again, as to necessity excusing theft. "A man can, in extreme necessity, use the possessions of another to the extent requisite to relieve him; because, when a person divides these possessions and takes what is necessary for himself, urged by extreme necessity, there is no detraction from natural rights. In such a case everything becomes common, and he who takes the goods of another when in need takes common property which he appropriates to his own use as was

¹ See Paul Bert pp. 23 and 24, and Gury pp. 33 and 34, Vol. I.

² See Paul Bert, p. 16.

³ See Paul Bert, p. 186, and Gury, p. 415, Vol. I.

⁴ See Paul Bert, p. 188, and Gury, p. 417, Vol. I.

⁵ See Paul Bert, p. 181, and Gury, p. 408, Vol. I.

the case before the division of property. There is, therefore, no theft."¹

Among the causes mentioned which exempt a man from a restitution are a moral impossibility, or a great difficulty in restoring, when this cannot be done without serious inconveniences, for example, "without his losing a position justly acquired, because then it would be truly impossible to restore; for in morals that which is difficult and which cannot be done decently and with respectability is called impossible. Thus, if a noble cannot restore without depriving himself of his servants, of his horses, of his arms, or one of the principal citizens, without taking up some manual labor to which he is unaccustomed, they can defer the restitution and pay what they owe little by little."²

Referring to impious and obscene books, Gury propounds the following question: "Can one return them to the owner? No; unless one fears some serious inconvenience, etc."³ M. Bert well expresses it: "And do not lend him [thè Jesuit] any books, for if he judge them bad, he will be authorized not to return them to you unless you threaten to thrash him."⁴

The seducer of a young girl is not held to any restitution, *because the harm he has brought upon her cannot be atoned for by money*. As to his duty to marry her there are two opinions. The first affirms it; the second, numbering fewer adherents, denies it. "The first is the common one, and should be followed; nevertheless, it admits of several exceptions discussed by St. Liguori. Thus, there will be a dispensation, if one fears unfortunate results from the marriage, if great dishonor is brought upon the family by the difference of social position, etc. *But, then, there is an obligation to settle a dowry upon the young girl.*"⁵ There seems to be an inconsistency here.

Concerning marriage: "Among Christians the union of any man and woman outside of the sacrament, made by virtue of no matter what civil law, is naught else than a shameful and fatal concubinage, condemned by the Church, and consequently the conjugal contract cannot exist outside of that sacrament, and depends absolutely upon the power of the Church."⁶

¹ See Paul Bert, p. 184, and Gury, p. 413, Vol. I.

² See Paul Bert, pp. 201-2, and Gury, p. 474, Vol. I.

³ See Gury, p. 175, Vol. I.

⁴ See Paul Bert, preface, p. xxxviii.

⁵ See Paul Bert, p. 204.

⁶ See Paul Bert, p. 425, and Gury, p. 454, Vol. II.

"The marriage of the non-faithful [to the Church], even if consummated, can be dissolved, according to divine permission, when one of the couple is converted to the Christian faith by being baptized, and when the other refuses to dwell peaceably with the former, or does not thus dwell without insulting the Creator, without contemning the Christian religion, or without endeavoring to lead the faithful one into sin."¹

But who is to be the judge of this?

"The difference in the worship which exists between a person that is baptized and one of the non-faithful renders the marriage invalid."²

We are now brought to the treatment of questions involved in the VIth and IXth Commandments, according to the Roman version, which correspond to the VIIth and the first part of the Xth as tabulated by the Protestant Church. Here is an excellent opportunity for the Jesuit to manifest what M. Bert well terms his Erotomania and he certainly amply improves it. We cannot, and we dare not, go into details. An elaboration would not be profitable—it could not be clean. The boldest accusations, however, can be made, for the quotations and the texts stand back of them as proofs. The moralist's imagination must have been sorely taxed to conjure up some of the suppositions which we find in these works. Secular fiction is outdone—Gamiani is eclipsed! But here we leave the subject, gladly washing our hands of it, rejoicing in our freedom, but only too sorry that still some at this day are exposed to such improving and elevating teachings. Now for the

Fourth and *last* charge, which is, that we find in the work before us grounds for asserting that the Jesuit's teachings are opposed to public tranquillity, and strike at the very foundations of the State government. The old question of the Establishment is forced upon us.

"Are the ecclesiastics compelled to obey the civil laws? No, not those laws which are contrary to the Immunities still in vigor, or to their office, or to the the Sacred Canons."³ This is too highly flavored with Ultramontaniam to be agreeable to the modern political palate.

"Are heretics under the dominion of the laws of the Church? Heretics, though rebelling against the Church, remain under her authority, and are consequently obliged to obey her laws, unless she exempt them therefrom."⁴

¹ See Paul Bert, p. 421, and Gury, p. 436, Vol. II.

² See Paul Bert, p. 427, and Gury, p. 470, Vol. II.

³ See Paul Bert, p. 48, and Gury, p. 77, Vol. I.

⁴ Quoted from Marotte's Short Catechism, by Paul Bert, p. 396.

This brings to mind too many of the scenes which have disgraced both Catholicism and Protestantism !

"The civil law cannot in any way oppose itself either to solemn vows or to perpetual vows, because the substance of these, being purely spiritual, cannot be reached by the civil law, not even indirectly, for, were it otherwise, the civil power could abrogate the laws of the Church, which is contrary to reason."¹ The State, then, is no supreme, even over itself ! These men would have us go back to the time and to the views of Hildebrand.

Should the marriage of heretics, performed in places where the decrees of the Council of Trent are not in vigor, be considered as valid ? No, absolutely ; for the following reasons : "1st. Because, where they have been published, they compel allegiance from all indiscriminately, whether heretics or Catholics, since the former are also under the jurisdiction of the Church. 2d. Because, if heretics were dispensed from this general law of the Church, they would receive an advantage from their rebellion, which is absurd."²

"To what shall deserting conscripts be held ? I. According to the duty of obedience and legal justice, they should return to their corps.

"*Except*—1st. If they should find there a grave peril to their salvation ; for example, if they should not have the opportunity to confess, as may happen in certain places. 2d. If, on their return, they are to be punished with death, the galleys, or other severe penalties. 3d. If the war be manifestly unjust.

"II. Deserters shall not be held to any restitution, provided the law takes no one in their stead, for they do not transgress the commutative law, since they injure no one.

"To what shall conscripts who are chosen be held if they escape or if they obtain an exemption without a legitimate motive ? If the law take no one in their stead, they sin against legal justice, but owe no restitution ; but if the law does take substitutes : 1st. Those who corrupt the magistrates or the doctors in order to be declared unfit for service owe a restitution. 2d. This is also the case, according to the more common opinion, with those who deceive the magistrates by lies and knavish tricks, or by mutilations previously self-inflicted. Nevertheless, many others, whose opinion seems quite probable, deny this, because these conscripts are not the *causa efficax* of the departure of

¹ See Paul Bert, p. 336, and Gury, p. 100, Vol. II.

² See Paul Bert, pp. 427 and 428, and Gury, pp. 477 and 478, Vol. II.

the others, for their deceit does not compel the magistrates, either physically or morally, to take others."¹

If it be true, as Macaulay said, that an army cannot be led by a debating society, how much the more evident is it that it could not be successfully handled if composed of casuistical debaters. Indeed, it is very doubtful if, with the universal diffusion of such principles, there would be any army at all. Perhaps it is for that reason that we are expected to approve of this passage. Let it be remarked, however, that this is not the principle which governs the Jesuit militia.

The foundation and capstone of this system seem to be the convenient doctrine of Probabilism; convenient indeed, for according to it controverted points may be settled now in one way and again in another, according to what at the time appears to the subject to be the more probable opinion.²

We ask now, what becomes of the State in the light of these principles? Does it not sink from the rank of a supreme power to the low level of the mere creature of another? And we anticipate any objection by recalling the Master's words: "My kingdom is not of this world."

There are limits to human endurance; in this regard we have reached them. Patriotism is one of the noblest sentiments with which man is endowed. The devotion of Greek and Roman to home and country has been the admiration of the world from their day to this. This is a sentiment which all civilized people share, and in reference to it the vocabularies of the different languages, one of the truest gauges of social development, are in nowise deficient. The *Vaterland* of the German, the *patrie* of the Frenchman, and the *home* of the Anglo-Saxon—these are significant words. It is with a natural feeling of impatience then that we read the quotation previously alluded to, which we find at the beginning of M. Bert's book, and which we now reproduce:

The members of the Society are dispersed through all the corners of the earth, and divided into as many nations and kingdoms as the earth has limits; a division, however, marked out only by the remoteness of places, not of sentiments; by the differences of language, not of affection; by the dissimilarity of visage, not of customs. In this family the Latin thinks as the Greek, the Portuguese as the Brazilian, the Hibernian as the Sarmatian, the Spaniard as the Frenchman, the Englishman as the Fleming; and among so many diverse types no contention, nothing which could cause you to notice that they are more than One. * * * The place of their birth inspires them with no motive of personal interest. * * * Same design, same conduct, same vow, which, like the conjugal tie, binds them together. * * *

¹ See Paul Bert, pp. 206 and 207, and Gury, p. 492, Vol. I.

² See Paul Bert, pp. 32 and 33.

At the slightest signal one solitary man turns and upturns the entire society and determines the revolution of such a great body; it is easy to move, but difficult to shake."¹

Is it strange that, holding such doctrines as we have cited, they have been expelled from even the most strongly Catholic countries?

"These doctrines, the consequences of which would be the destruction of the natural law, this rule of morals which God himself has impressed upon the heart of man, and which consequently would sunder the bonds of civil society by authorizing theft, lying, perjury, the most criminal unchastity, and, in general, all the passions and all the crimes by teaching occult compensation, equivocation, mental restrictions, probabilism and philosophical sinning; which would destroy all sentiments of humanity among men by favoring homicide and parricide; which would annihilate the royal authority, etc. * * *"²

The Bourbons of Spain and of France during the last century, and Clement XIV., himself liked them probably no better than do the republics in our day. Jesuitism then, as now, was a state within a state, and then, as now, it had to go. *Requiescat in pace.*

But the danger which has threatened France, does it not likewise hover about the other nations of the world? And is to take notice of it and expel these intriguers, if need be, anti-republican, as has often been asserted?

It is as though it were argued that a police force curtailed the liberties of upright citizens. The duty of every government is to see to it that the rights of all are respected, and to secure this end it must protect itself. It must first of all be egoistic. May America be spared a reckoning day!

More and more as years roll by do the acts of one government directly affect all others. By furnishing the State with additional weapons, Paul Bert deserves the thanks, not only of Frenchmen, but of all who hold fondly to the inviolability of home and country. He has struck a staggering blow at the common enemy, and their system of defense shows how deep it has reached. They have added insult to injury by meeting argument with abuse. What a strange picture—the Jesuit violates the golden rule, while the Free-thinker manifests a truly Christ-like forbearance; republicans counsel peace, patience and moderation, while the upholders of the "by-the-grace-of-God" theory plan a *coup d' état*.³ "*E pur si muove.*"

¹ *Imago Primi Sæculi Societatis Jesu*; 1640.

² Decree of Parliament of Paris, 5 March, 1762.

³ The famous 16th of May.

In conclusion, we remark that in the treatment of this question we have simply exposed from their own writings the teachings of the members of the Society of Jesus, but we have attempted carefully to avoid any attack on the Church of which they form a part. We consider this institution, like every other, a human one, and consequently liable to err. But we reiterate that we freely admit that, in spite of the records which history brings down to us of her failures and misdeeds—of the crimes, even, which have been committed in her name, some of them, perhaps, unparalleled—she still stands forth a monument to man's wisdom, an undeniable testimony to his self-sacrifice. She has been the grand mainspring of European civilization. For this reason we have shunned any reference to the current statements concerning the attitude of the Church toward the civil government in this country; for this reason, also, we have not charged that Jesuitism is paramount in Rome to-day, as is firmly believed in France, and that Ultramontanism is, and is to be, the policy of the Church. We hope not, for her sphere of usefulness is not closed, as it would, under such circumstances, undoubtedly be. But we have accused the present disciples of Loyola of teaching doctrines which are unchristian, anti-liberal, immoral, and dangerous to the State.

Would they become worthy of public esteem rather than of public mistrust and contempt, then let them study and exemplify the pure system of ethics as found in the Gospels; would they merit public confidence, then let them study the character of God as revealed in nature, where "all things work together for good;" let them free themselves from the degrading trammels of anthropomorphism and rise to that purer conception, the All in All. Then, by striving to make the world lovelier and mankind happier, they will be contributing to the coming of his kingdom. Then their motto will be a grand and noble one: "*Ad maiorem Dei gloriam.*"

WILLIAM ALEXANDRE HEYDECKER.

TRACES OF INTERNATIONAL LAW IN ANCIENT CHINA.¹

THE recent treaties by which China has been brought into closer relations with the nations of the West, and especially the establishment of intercourse by means of permanent embassies, have led Chinese statesmen to turn their attention to the subject of international law.²

For them it is a new study, involving conceptions which it would hardly have been possible for their predecessors to form at any time in the course of the last two thousand years; though, as we shall endeavor to show, they possessed something answering to it in their earlier history.

Their modern history commences two centuries before the Christian era, and, for our purpose, it may be divided into three periods. The first, extending from the epoch of the Punic wars down to the discovery of the route to the Indies by the Cape of Good Hope; the second, comprehending three centuries and a half of restricted commercial intercourse; and the third, commencing with the so-called "opium war," in 1839, and covering the forty years of treaty relations.

During the first, the Chinese were as little affected by the convulsions that shook the western world as if they had belonged to another planet. During the second, they became aware of the existence of the principal States of modern Europe, but the light that reached them was not yet sufficient to reveal the magnitude and importance of those far-off powers. Within the last period, the rude experiences of two wars have made them acquainted with the military strength of European nations, and the opening of the Suez Canal has brought them into what they regard as a dangerous proximity to formidable neighbors.

These unwelcome discoveries have led them, not only to push forward their defensive armaments, but to seek in fact, if not in form, to put themselves as much as possible under the ægis of what may fairly be called the public law of the civilized world.

Such are the steps by which China has been led to accept inter-

¹ This paper was prepared in Europe for the Berlin Congress of Orientalists, and read before that body in September, 1881. Withheld by the author from publication in the transactions of the congress, with a view to further historical research, it has been rewritten and is now printed in English for the first time.

² The works of Wheaton, Woolsey, Bluntschli and others on this subject have been translated for their use at the Tungwen College in Peking.

course on a footing of equality with nations which, for three centuries, she had been accustomed to class with her own tributaries.

Her tributaries included all the petty States of Eastern Asia. Attracted partly by community of letters and religion, and partly by commercial interest, but more, perhaps, by the moral effect of her national greatness, they rendered a voluntary homage to the master of a realm so vast that, like Rome of old, it has always called itself by a title equivalent to *orbis terrarum*. These vassal States had few relations with each other, and it was not to be expected that China, acknowledging nothing like reciprocity in her intercourse with them, should learn from them the idea of a community of nations possessed of equal rights.

For twenty centuries she had presented to her own people, as well as to her dependent neighbors, the imposing spectacle of an empire unrivaled in extent, whose unity had been broken only by rare intervals of revolution or anarchy. During this long period it was no more possible that an international code should spring up in China than it would have been for such a thing to appear in Europe had the Roman empire remained undivided until the present day. The requisite conditions were wanting. Where they exist, a code based upon usage, and more or less developed, comes into being by the necessities of the human mind. These conditions are: 1st. The existence of a group of independent States, so situated as to require or favor the maintenance of friendly intercourse; 2d. That those States should be so related as to conduct their intercourse on a basis of equality.

If these conditions were conspicuously absent under the consolidated empire, they were no less obviously present in the preceding period, accompanied by every circumstance that could favor the development of an international code.

The vast domain of China proper was at that epoch divided between a number of independent principalities, whose people were of one blood, possessors of a common civilization already much advanced, and united by the additional bond of a common language.

These conditions concurred in ancient Greece, and the result was a rudimentary code, culminating in the Amphictyonic Council, a provision for settling international disputes which suggests comparison with the concert of European powers recently employed in settling the question of the Greek frontier ²

² This was the latest achievement of the "concert" when the first draft of this paper was written in Paris a year ago.

In ancient China the conditions are similar, but the scale of operation is vastly more extended. There is, moreover, another important difference; and, with reference to the object of the present essay, it deserves to be marked with special emphasis. The Chinese States were not, like those of Greece, a cluster of detached tribes who had together emerged from barbarism, without any well-defined political connection; they were the fragments of a disintegrated empire, inheriting its laws and civilization, as the States of modern Europe inherited those of Rome.

The period during which they rose and fell was the latter half of the dynasty of Cheo, pretty nearly corresponding to that extending from the birth of Solon to the close of the first century, after the death of Alexander, which in China, as in Greece, was an age of intense political activity. The normal form of government for the empire was the feudal, the archetype of that which prevailed in Japan until swept away by the revolution of 1868. The several States were created by the voluntary subdivision of the national domain by the founder of the dynasty, who, like Charlemagne, by this arrangement planted within it the seeds of its destruction. The throne of each State being hereditary, a feeling of independence soon began to spring up. The emperors were at first able to preserve order by force; and, even when shorn of their power, their court, like that of the Holy See in the Middle Ages, continued for a long time to serve as a court of appeal for the adjustment of international difficulties. But at length, losing all respect for authority, the feudal princes threw off the semblance of subjection, and pursued without restraint the objects of their private ambition. This age is called by the native historians *chan-kuo*, or that of the "warring States," and that which preceded it, characterized by orderly and pacific intercourse, is described as *lie-kuo*, or the family of "coördinated States."

A family of States with such an arena and such antecedents could hardly fail to develop, in the intercourse of peace and war, a system of usages which might be regarded as constituting for them a body of international laws.

Accordingly, if we turn to the history of the period in quest of such an indigenous system, we shall find, if not the system itself, at least the evidence of its existence. We find, as we have said, a family of States, many of them as extensive as the great States of western Europe, united by the ties of race, literature and religion, carrying on an active intercourse, commercial and political, which, without some

recognized *ius gentium*, would have been impracticable. We find the interchange of embassies, with forms of courtesy indicative of an elaborate civilization. We find treaties solemnly drawn up, and deposited for safe keeping in a sacred place called *mengfu*. We find a balance of power studied and practised, leading to combinations to check the aggressions of the strong and to protect the rights of the weak. We find the rights of neutrals to a certain extent recognized and respected. Finally, we find a class of men devoted to diplomacy as a profession. though, to say the truth, their diplomacy was not unlike that which was practised by the States of Italy in the days of Machiavelli.

No formal text-book containing the rules which for so many centuries controlled this complicated intercourse has come down to our times. If such writings ever existed they probably perished in the "conflagration of the books" which sheds such a lurid light on the memory of the builder of the Great Wall. The *membra disjecta* of such an international code as we have supposed are, however, to be found profusely scattered over the literature of those times, in the writings of Confucius and Mencius; in those of other philosophers of the last five centuries B. C.; in various historical records, and particularly in the Cheo-li, or Book of Rites, of the dynasty of Cheo.¹

The day may perhaps come when some Chinese Grotius will gather up these desultory hints as carefully as the illustrious Hollander did the traces of international usages in Greece and Italy. To make even a partial collection of the passages in Chinese writers relating to this subject would come within neither the scope nor the compass of the present paper. All that I propose to myself, in addition to indicating, as I have done, the existence between the States of ancient China of a peculiar system of consuetudinary law, is to make a few citations confirmatory of the views expressed, and throwing light on some of the more interesting of the topics to which I have adverted.

The clearest view of the public law which was acknowledged by this group of States after they became independent is undoubtedly to be sought for in their relations to each other while subject to a common suzerain.

The greater States were twelve in number, and for ages that distribution of territory was regarded as no less permanent than the order of the heavenly bodies. It was consecrated by the science of astronomy as it then existed, and an ancient map of the heavens gives us a

¹ The orthography of proper names is according to the dialect of Peking—*i. e.*, the mandarin or court dialect—with the European continental vowel sounds.

duodecimal division, with the stars of each portion formally set apart to preside over the destinies of a corresponding portion of the empire.¹

Confucius appears to allude to this in a beautiful passage in which he compares the emperor, or the wise man—for the words have a double sense—to the polar star, which sits unmoved in its central throne, while all the constellations revolve around. Could anything be devised more effectual than this superstitious alliance of geography and astronomy to place the territorial rights of the several States under the safeguard of religion? More picturesque than the Roman method of placing the boundaries under the care of a special divinity, it was probably more efficacious, and contributed in no small degree to maintain the equilibrium of a naturally unstable system, during a period which, in the West, witnessed the rise and fall of the Babylonian, Persian and Greek empires, entailing the complete obliteration of most of their minor divisions.

These twelve States were subdivided into a great number of lesser principalities, the whole constituting a political organization as multifarious and complex as that which existed in Germany under the sway of the "Holy Roman Empire." As in mediæval Europe, the chiefs of these States were ranked with respect to nobility in five orders, answering to duke, marquis, earl, baron and knight, the inferior depending on the superior, but all paying homage to the Son of Heaven, a title which was even at that early period applied to the emperor, who had a right, for the common good, to command the service of all. In the annals of Lu we find the following curious entry:

In the ninth year of his reign the Duke met in conference at Kwe-chin the Duke of Cheo, the Marquis of Chi, the Baron of Sung, the Marquis of Wei, the Earl of Cheng, the Knight of Hü and the Earl of Tsao.

We note here the presence of all the five orders. The commentary of Tso, we may add, states the object of the meeting as "the formation of a league and the promotion of friendly relations in accordance with *authorized usage*."

The authorized usages here referred to constituted the basis of the international law of the time. They were contained in part in the

¹ The names of the twelve great States are inscribed on the horizon of an azimuth instrument, made under the Mongol dynasty, circa 1320, and still preserved in the observatory of Peking. What can better illustrate the depth of the sentiment connected with this territorial division than the fact that such a souvenir, associating it with the unchanging heavens, should be reproduced in the construction of an astronomical instrument fifteen centuries after the last of those States had ceased to exist!

Cheo-li, or Book of Rites of the Cheo dynasty, published by imperial authority about B. C. 1100, and, in a somewhat mutilated form, extant at the present day. This code defines the orders of nobility; prescribes a sumptuary law for each, extending even to their rites of sepulture; regulates the part of each in the public sacrifices, and lays down a form of etiquette to be observed in all their public meetings. It gives in detail the hierarchy of officers, civil and military; indicates their functions, and fixes the weights and measures, the mode of collecting the revenue, the modes of punishment, and all this mixed up with an infinitude of ceremonial detail which to us appears the reverse of business-like, but which was no doubt as well adapted to the character of the ancient Chinese as was the ritualistic legislation of Moses to that of the Hebrews. Primarily obligatory on the immediate subjects of the imperial house, this code was secondarily binding on all the vassals of the empire, by all of whom it was adopted in the minutest particulars, with the single exception of the State of Chin, in the extreme northwest, a State which obstinately adhered to the ritual and etiquette of the earlier dynasty of Shang, and, cherishing a spirit of alienation, became the secret foe and ultimately the destroyer of the imperial house.

With this exception the laws and usages of the several States were so uniform—all being copied from a common model—that there was little occasion for the cultivation of that branch of international jurisprudence which in modern times has become so prominent under the title of the “conflict of laws.”

Ideas derived from the feudal system were so interwoven with every part of this complicated legislation that its general acceptance formed the mainstay of the imperial throne. The great princes styled themselves vassals, though as independent as Annam and Nepaul are at the present day, and, like these latter, paying formal homage only once in five years. They accordingly looked up to the emperor as the fountain of honor, and the supreme authority in all questions of ceremony, if not in questions of right.

Of this moral ascendancy, for which we can find no parallel better than the veneration which, in the Middle Ages, Catholic sovereigns were wont to show to the Holy See, we have a remarkable example in the Kuo-yu. The emperor, Siang-wang, B. C. 651, being driven by a domestic revolt from his territories—a small district in the center of the empire, which may be compared to the Pontifical States recently absorbed by the kingdom of Italy—he was restored to his throne by

the powerful intervention of the Duke of Tsin. In recompense for such a signal service, the emperor offered him a slice of land. The duke declined it,¹ and asked, instead, that he might be permitted to construct his tomb after the model of the imperial mausoleum. The emperor, viewing this apparently modest request as a dangerous assumption, promptly refused it, and the duke was compelled to abide by the recognized code of rites.

The possession of this common code, originating in the will of a common suzerain, contributed to maintain for nearly a thousand years among the States of China, discordant and belligerent as they often were, a bond of sympathy in strong contrast with the feelings they manifested toward all nations not comprehended within the pale of their own civilization. When, for instance, the Tartars of the north-west presented themselves at the court of Tsin, requesting a treaty of peace and amity, and humbly offering to submit to be treated as vassals of the more enlightened power, "Amity," exclaimed the prince; "what do they know of amity? The barbarous savages! Give them war as the portion due to our natural enemies." Nor was it until his minister had produced five solid reasons for a pacific policy that the haughty prince consented to accept them as vassals.

In the history of those times the curtain rises on a scene of peaceful intercourse which, in many ways, implies a basis of public law. Merchants are held in esteem, one of the most distinguished of the disciples of Confucius belonging to that class, and a rivalry subsists between the several princes in attracting merchants to their States. Their wares are subjected to tolls and customs; but the object is revenue, not protection.

The commerce of mind reveals relations of a still more intimate character. The schools of one State are often largely frequented by students from another, and those who make the greatest proficiency are readily taken into the service of foreign princes. Philosophers and political reformers travel from court to court in quest of patronage; Confucius himself wanders over half the empire, and draws disciples from all the leading States.

A century later Mencius, with the spirit of a Hebrew prophet, proclaims in more than one capital his great message that "the only foundation of national prosperity is justice and charity."

It was to this kind of intercourse that Chin, the rising power of the

¹ According to some of the histories, he finally accepted it, when balked in his loftier aspirations.

North, was indebted for the ascendancy which it slowly acquired in the affairs of the empire, and which eventually placed its princes in possession of the imperial throne.

The Duke Hiao (B. C. 368), conscious of the backward state of his people, made proclamation to the effect that any man, native or foreign, who should be able to devise a new method for promoting the prosperity of his dominions, would be rewarded by a grant of land and a patent of nobility. Shangyang, a native of a neighboring State, a young man of noble family, who, the historian says, "had given much attention to legal studies," presented himself and requested an audience. The duke, charmed by the clearness and originality of his ideas, gave him *carte blanche* for putting them in practice. The reforms effected were of the most thorough character, and the seed was then sown of triumphs achieved a century later. Further on we find Li-sze, another foreigner, at the helm in the same principality. At this time so great was the influx of strangers that the natives, as in other lands, became jealous, and made a movement to expel them. The prince was disposed to yield, when the minister averted the blow by laying before the throne a masterly plea for freedom of intercourse. This notable document, whose good effect did not cease with the emergency that gave it birth, begins by showing that the ancestors of the prince had for four generations admitted foreign statesmen to the rank of confidential counsellors, and concludes by comparing their policy with their own majestic river, the Hoang-ho, which owes its greatness to the rivulets that combine to swell its volume.

The personal intercourse of sovereign princes forms a striking feature in the history of those times. Their frequent interchange of visits indicates a degree of mutual confidence which speaks volumes for the public sentiment. Confidence was, indeed, sometimes abused, as it has been in other countries; but such intercourse was always characterized by courtesy, and mostly by good faith.

On one occasion, when a powerful prince came with a great retinue to visit the Duke of Lu, Confucius, who was Minister of Foreign Affairs, adopted such precautions, and conducted the interviews with such adroitness, that he not only averted what was believed to be a danger, but induced the foreign prince to restore a territory which he had unjustly appropriated.

A visit of the Duke of Tsin to the Duke of Lu may be mentioned, as illustrating the freedom and familiarity which sometimes marked

this princely intercourse. The host accompanied his guest as far as the Yellow River. The latter, learning during a parting entertainment that the former had not yet received the Kwanli¹—a rite answering somewhat to the conferring of knighthood—offered, then and there, to confer it. It was objected that the means were wanting for performing the ceremony with due solemnity, and the capital of Wei being nearer than his own, the Duke of Lu proposed to proceed thither for the purpose. They did so, and the rite was celebrated with suitable pomp in a temple borrowed for the occasion.

General meetings of the princes for the purpose of forming or renewing treaties of alliance were of frequent occurrence. Embracing what were then regarded as all the leading powers of the earth, these meetings present a distant, but by no means faint, parallel to the great congresses of European sovereigns.

The more usual form of friendly intercourse between the States of China was, as elsewhere, by means of envoys.

The person of an envoy was sacred; but instances are not wanting of their arrest and execution. In the latter case they were regarded as spies, and the punishment inflicted on them was considered as a declaration or act of war. In the former, the violence was sometimes defended on the ground that the envoy had undertaken to pass through the territory into a neighboring State without having first obtained a passport, his visit being at the same time held to have a hostile object. Ordinarily, an envoy was treated with scrupulous courtesy, the ceremonial varying according to his own rank, or that of his sovereign. Questions of precedence, which often arose, were decided according to settled principles, but the rules were by no means so clear and simple as those enacted by the Congress of Vienna. For example, a dispute of this kind arising between the envoys of two duchies at the court of Lu, one claimed precedence on the ground that his State was more ancient than the other. The minister of the latter replied that his sovereign was more nearly allied to the imperial family. The difficulty was happily terminated without bloodshed, which was not always the case with such quarrels in Europe prior to 1815. The master of ceremonies reminded the litigants that the placing of guests belongs to the host, and gave preference to the kinsman of the emperor.

¹ Kwanli—literally the “cap ceremony”—the formal assumption by a youth of a kind of cap distinctive of mature age. Now completely disused, this was formerly one of the “four great rites,” and the references to it in the ancient books remind us of the pomp with which the *toga virilis* was assumed by patrician youth at Rome. Still, as between nobles, I can think of no better analogy than that given in the text,

Insults to envoys were not unfrequently avenged by an appeal to arms. Of this a notable instance was an insult given by the Prince of Chi, at one and the same time, to the representatives of four powers.

These envoys arriving simultaneously, it was observed by some wag (the court fool, perhaps) that each was marked by a blemish or deformity in his personal appearance. One was blind of an eye; a second was bald; another was lame, and the last was a dwarf. It was suggested to the duke that a little innocent amusement might be made out of this strange coincidence. The prince, acting on the hint, appointed as attendant to each ambassador an officer who suffered from the same defect. The court ladies, who, concealed by curtains of thin gauze, witnessed the ceremony of introduction and the subsequent banquet, laughed aloud when they saw the blind leading the blind, and the dwarfs, the bald and the lame walking in pairs. The envoys, hearing the merriment, became aware that they had been made involuntary actors in a comedy. They retired, vowing vengeance, and the next year saw the capital of Chi beleagured by the combined forces of the four powers, which were only induced to withdraw by the most humiliating concessions on the part of the young prince, who, too late, repented his indecent levity.¹

In the history of Tso we find a rule, for the sending of envoys, which has its counterpart in the diplomatic usage of modern nations. Speaking of a mission to a neighboring State, he adds: "This was in accordance with usage. In all cases where a new prince comes to the throne, envoys are sent to the neighboring States to confirm and extend the friendly relations maintained by his predecessor."

The highest function of an envoy was the negotiation of a treaty. Treaties of all kinds known to modern diplomacy were in use in ancient China. Signed with solemn formalities, and confirmed by an oath—the parties mingling their blood in a cup of wine, or laying their hands on the head of an ox to be offered in sacrifice—such documents were carefully treasured up in a sacred place called *Meng-fu*, the "Palace of Treaties."

We are able to give, by way of specimen, the outlines of a treaty between the Prince of Cheng and a coalition of princes who invaded his territories B. C. 544.

¹ This story is derived from a comparison of the three leading historians of the period, who differ only in unimportant details. In an amplified form it is to be seen on the boards of Chinese theaters at the present day. The Chinese theater, like that of Greece, is for an illiterate public the chief teacher of ancient history.

PREAMBLE.

The parties to the present treaty agree to the following articles:

Article I. The exportation of corn shall not be prohibited.

Art. II. One party shall not monopolize trade to the disadvantage of others.

Art. III. No one shall give protection to conspiracies directed against the others.

Art. IV. Fugitives from justice shall be surrendered.

Art. V. Mutual succor shall be given in case of famine.

Art. VI. Mutual aid shall be given in case of insurrection.

Art. VII. The contracting powers shall have the same friends and the same enemies.

Art. VIII. We all engage to support the Imperial House.

Conclusion—We engage to maintain inviolate the terms of the foregoing agreement. May the gods of the hills and rivers, the spirits of former emperors and dukes, and the ancestors of our seven tribes and twelve states watch over its fulfillment. If any one prove unfaithful may the all-seeing gods smite him, so that his people shall forsake him, his life be lost and his posterity cut off.

In addition to the rites of religion by which such engagements were ratified, they were usually secured by sanctions of a less sentimental character. As in the West, hostages or other material guarantees were given in pledge; sometimes also they were guaranteed by third parties, who, directly or indirectly interested, engaged to punish a breach of faith. We have, for instance, one prince demanding the mother of another as a hostage. The case is instructive in more than one of its aspects. The Prince of Tsin, calling on the Prince of Chi to recognize him as his chief, and to surrender his mother as a pledge of submission, the latter replies that his State was created the peer of the other by the will of the former emperors, and that one who would despise the will of the emperor was not fit to be the head of a league. As to the demand for his mother as a hostage, that was a proposition so monstrous that, rather than submit to it, he would meet the enemy under the gates of his last fortress.

At this point the affair takes a turn which serves to illustrate a procedure of frequent occurrence in the history of those times. The princes of two neighboring States come forward as mediators and bring about an accommodation on less oppressive conditions.

The more enlightened writers of Chinese antiquity condemn the practice of exchanging hostages, as tending to keep up a state of *quasi* hostility and mutual mistrust; and no writers of any nation have been more emphatic in insisting on good faith as a cardinal virtue in all international transactions.

Says Confucius, "A man without faith is like a wagon without a coupling-pole to connect the wheels." Speaking of a State, he says: "Of the three essentials, the greatest is good faith. Without a reve-

nue and without an army a State may still exist, but it cannot exist without good faith."

It remains to speak of the intercourse of war. *Inter hostes scripta juro non valere at valere non scripta* is a principle that was as well understood in ancient China as among the ancient nations of the Western world, and war in China was, to say the least, not more brutal than among the Greeks and Romans.

The command of Alexander to spare the house of the poet Pindar, if it shows a degree of literary culture, indicates, on the other hand, that moral barbarism which asserts a right to the spoils of the conquered. In China we find the same state of things; *vae victis* is the sad undertone in every narrative of military glory, relieved, indeed, by brilliant instances of generosity and mercy. We find an invading chief enjoining, under penalty of death, respect for the very trees that overshadow the tomb of a philosopher, and at the same time setting a price on the head of a rival prince.

Every military leader proclaims, like Achilles, that "laws are not made for him;" yet we do not despair of being able to show that laws existed in war as well as in peace, even though they were systematically trampled on. With this view, we shall call attention to the following facts:

First—In the conduct of war the persons and property of noncombatants were required to be respected. This we infer from the praise bestowed on humane leaders and the reprobation meted out to the cruel. In Chinese history the example of those who have achieved the easiest and most permanent conquests is always on the side of humanity.

Second—In legitimate warfare the rule was not to attack an enemy without first sounding the drum and giving him time to prepare for defense.

The following instance goes beyond this requirement, and reminds us of the code of chivalry which made it infamous to take advantage of an antagonist. The Prince of Sung declined to engage a hostile force while they were crossing a stream, and waited for them to form in order of battle before giving the signal to advance. He was beaten, and when reproached by his officers he justified himself by appealing to "ancient usage." "The true soldier," said he, "never strikes a wounded foe, and always lets the gray-headed go free; and in ancient times it was forbidden to assail an enemy who was not in a state to resist. I have come near losing my kingdom, but I would scorn to command an attack without first sounding the drum."

We are not surprised to learn that the captains of that age (640 B. C.) "laughed at the simplicity of the unfortunate prince."

Third—A war was not to be undertaken without at least a decent pretext.

These words, in fact, are almost a translation of an oft-quoted maxim, *She chü yin ming*, "For war you must have a cause," which indicates that passion and cupidity were held in check by public opinion pronouncing its judgment in conformity with an acknowledged standard of right.

Another maxim, equally well known, makes the justice of the cause a source of moral power which goes far to compensate the inequality of physical force.

"Soldiers are weak in a bad cause, but strong in a good one," said the ancient Chinese, assigning as high a place to the moral element as our own poet, when he says, "Thrice is he armed who hath his quarrel just."

Fourth—A cause always recognized as just was the preservation of the balance of power. This principle called to arms not merely the States immediately threatened, but those also which, by their situation, appeared to be remote from danger.

Not to speak of combinations to resist the aggressions of other disturbers of the public peace, we find, B. C. 320, six States brought into line to repress the ambition of Chin. This powerful coalition, the fruit of twenty years' toil on the part of one man, who is immortalized as the type of the successful negotiator, was, we may add, after all destined to fail of its object. The common enemy succeeded in detaching the members of the league, and in overcoming them one after another. The arch of States which protected the throne of their suzerain being destroyed, the conqueror swept away the last vestige of the house of Cheo, which for eight hundred years had exercised a feudal supremacy over the princes of China. Proclaiming himself instead, under the title of Shü Hwang-ti, the "first of the universal sovereigns," he abolished the feudal constitution of the empire, at the same time that he completed the Great Wall. His successors to the present day are called *hwang-ti*, and the system of centralized government which he inaugurated is as firmly established as the Great Wall itself.

Fifth—The right of existence, prior to the revolution just noticed, was, in general, held sacred for the greater States which held in fief from the imperial throne.

This right is often appealed to, and proves effectual in the direst extremity; *e. g.*, the Prince of Chi, at the head of a strong force,

enters Lu, with an evidently hostile intent. Chan-hi, a minister of Lu, is sent to meet him, in the hope of arresting his progress. "The people of Lu appear to be very much alarmed at my approach," said the prince. "True," replied the minister, "the people are alarmed, but the ruler is not." "Why is not the ruler also," inquired the invader, "when his troops are in disorder, and his magazines as empty as a bell? On what does he repose his confidence that he should affect to be superior to fear?"

"He rests it on the grant which his fathers received from the ancient emperors," said the minister. He then proceeded to vindicate the rights of his master, under what was recognized as the traditional law of the empire, with such force that the prince desisted from his purpose and withdrew without any further act of violence.

A similar instance, it will be remembered, has been cited already in another connection—the case in which a prince, after urging in vain this same plea, the sacredness of the imperial grant, was saved from humiliation or extinction by the mediation of neighboring powers, who recognized and were determined to uphold the principle.

A third example of the kind is one in which the existence of the now feeble remnant of the imperial domain was itself at stake. The Prince of Chu, after a victorious campaign against other foes, crossed the Rubicon and entered the territories of the house of Cheo, with the evident intention of seizing the imperial throne. The emperor, unable to oppose armed resistance, dispatched Wang Sun-man, one of his ministers, to convey a supply of provisions to the invading army, and to ascertain the designs of the leader. The latter veiled his purpose in figurative language, asking to be informed as to the "weight of the nine tripods." The minister, without answering directly, gave the history of the tripods, relating how they had been cast in bronze by Ta-Yu, the founder of the first great dynasty, and emblazoned with a chart of the empire in relief; how for fifteen centuries they had been preserved as emblems of the imperial dignity, and exposing in a masterly manner the necessity of respect for that venerable power to the order of the several States, he concluded by saying: "All this being true, why should your highness ask the weight of the tripods?" The chief, struck by the force of his arguments, which, like the most effective on such occasions, were purely historical, renounced his nefarious purpose and retired to his own dominions.

Sixth—Finally, the rights of neutrals were admitted, and, to a certain extent, respected.

It has been remarked that in the wars of Greece there were no neutrals; those who desired to be such, if they were so situated as to be of any weight in the conflict, being always compelled to declare themselves on one side or the other. This was not the case in China. The neutral frequently rejected the overtures of both parties, and his territories interposed an effectual barrier in the way of the belligerents. We have numerous instances of passage being granted to troops without further participation in the conflict, and one case in which a wise statesman warns his master against the danger of such an imprudent concession. "In a former war," said he, "you granted it to your detriment; if you do so again, it will be to your ruin." His chief failed to profit by the warning, and the prince thus unjustly favored, after destroying his antagonist, turned about and took possession of the territory of his friend.

CONCLUSION.

It is, as we have intimated, quite possible that text-books on the subject of international relations may have existed in ancient China, without coming down to our times, just as the Greeks had books on that subject, of which nothing now survives but their titles. Whether this conjecture be well founded or otherwise, enough remains, as we have shown, to prove that *the States of ancient China had a law, written or unwritten, and more or less developed, which they recognized in peace and war.* The Book of Rites and the histories of the period attest this.

Of these histories, one was acknowledged as constituting in itself a kind of international code. I allude to the "Spring and Autumn Annals," edited by Confucius, and extending over two centuries and a half. Native authors affirm that the awards of praise and blame expressed in that work, often in a single word, were accepted as judgments from which there was no appeal, and exercised a restraining influence more potent than that of armies and navies.

Chinese statesmen have pointed out the analogy of their own country at that epoch with the political divisions of modern Europe. In their own records they find usages, words and ideas corresponding to the terms of our modern international law, and they are by that fact the more disposed to accept the international code of Christendom, which it is no utopian vision to believe will one day become a bond of peace and justice between all the nations of the earth.

W. A. P. MARTIN.

CURRENCY, OR THE FUNDAMENTAL PRINCIPLES OF MONETARY SCIENCE.¹

A POSTHUMOUS work, under the above title, by Mr. Hugh Bowlby Willson, whose loss every friend of political economy must greatly deplore, has recently made its appearance in New York. It treats of a large variety of subjects lying at the very core of political economy with much ability, and raises many questions respecting them of the highest importance. More especially it is occupied with a very elaborate discussion of the nature and essence of paper money, and of the principles which ought to govern the mode and the conditions of its issue. The interest of the author manifestly centers upon this point. No one can wonder that Mr. Bowlby Willson should have felt himself impelled to examine and discuss such a theme. Paper currencies are still a much-vexed problem amongst the nations of the world. The proper method of putting bank notes into circulation, the principles on which they should be founded, the objects to be aimed at, are matters of never-ceasing debate. The consequences of right or wrong practice are admitted to be very serious, yet no definite determination of which is the right mode of proceeding has been reached and accepted. What with selfish interests influencing motives and the practical difficulty of decision in each case, uncertainty is still the dominant result.

A still more natural reason impelled Mr. Bowlby Willson to enter upon such an inquiry. Right practice in the issue of paper money is at the present hour one of the most agitated questions in the United States. The result has been complicated machinery for issuing notes, ever varying, never acquiesced in. In America itself nowhere does the sentiment exist that the right kind of paper money has been found, and few, indeed, out of America really understand what the system actually adopted really is. Amidst such facts around him, to what could Mr. Bowlby Willson better turn for study than to the English Bank of England note? Its goodness no one disputes; it has, it may be confidently said, no superior in the world, and since 1844 its trustworthiness for payment has never been challenged. How that note is born into the world, under what conditions it exists, are the very

¹ Currency; or, The Fundamental Principles of Monetary Science: Postulated, Explained and Applied. By Hugh Bowlby Willson. New York.

things which every investigator of the nature of paper money would seek to ascertain, and this is what Mr. Willson has done. We propose to accompany him in this inquiry. Much that he affirms we can appreciate highly. We shall differ at times, but that will only lead to a closer examination of our subject.

We believe that this inquiry will be more easy to follow if we endeavor in the first place to note, with as much clearness as we can command, what is the actual organization under which the Bank of England paper money was born and lives. The criticisms of Mr. Willson will thus be more fully understood, and the points on which difference exists will be brought out with greater precision.

The first fact presented by that organization is that the Bank of England is composed of two separate and very distinct departments, the Banking and the Issuing departments. The first, as an eminent ex-Governor of the Bank of England most fully admitted, is a purely private bank—as private as the London Joint Stock Bank or any other bank—the private bank called the Bank of England. The second department, that of Issue, is in essence an office of the State. It is the State which in substance, if not in outward appearance, issues all the notes. No voice, in very truth, can speak here but as the servant and agent of the State.

The next fact is that the Issuing Department supplies the public with notes, taking security for them all—that is, giving them forth in exchange for things which are worth their value. All the notes are individually and in fact made safe for all holders by property lodged expressly to give payment for every one of them presented for payment by the public. The private bank, called the Bank of England, is invested with the right of obtaining at the present time about £15,000,000 worth of these notes in exchange for securities—that is, buying them with title-deeds to property worth that value. The remainder of the notes in circulation are bought from the Issue Department with gold only. The Bank of England by purchasing these notes with securities which yield an interest earns a profit on the notes so issued, the market value of such securities being the guarantee for the soundness and the immediate convertibility into gold of the notes thus purchased. The whole mass of notes issued pass into the hands of the public, the Bank of England, as part of the public, getting and keeping as many as it likes or can, the remainder of the public doing precisely the same. The whole public, every holder of a note, can demand gold for it when he chooses, and thus all the gold

may be taken out of the Issue Department. But, manifestly, the securities do not come into play, are not touched, till all the gold in the department has been paid away. If all the gold actually lodged in it departs, and the public continues to pour in more notes to be paid in gold, then clearly the Issue Department will be in a great strait. It must then obtain gold for the securities deposited, either from the Bank of England, which is responsible for procuring such gold, or by selling the securities in the open market, or else it will come to a stand-still. Such an event would, of course, bring the system of issuing notes against securities at the bank to a ruinous failure, but this is an event which has never happened and never threatened to happen, and which, we venture to say, is virtually impossible.

Let us look at the worst crisis in the money market known to the bank under the present organization of its double constitution, the fearful commercial agony of 1866. The banking reserve of the Bank of England, as a purely private bank, had sunk to below one million. If depositors who had accounts at the bank, as their banker, had demanded coin from it, another million in payment of its debts to them, they would have brought the bank to bankruptcy, unless it had property to sell for gold in the market. Yet, what actually happened? How was it saved from such a disaster?

By a decree of the Privy Council the Bank Charter Act of 1844 was suspended. The Issue Department was then made, practically, a part of the banking company, the Bank of England. The directors might deal as they pleased with the issue of the notes and the gold to be kept in store for them, subject to one condition only—that they must maintain the convertibility of the notes, must give gold for them if demanded. They were empowered to use for banking purposes, if they chose, the £13,000,000 of gold then existing in the Issue Department, precisely as if they were a private bank possessing a circulation of notes. The amount of gold to be kept in hand ready to be given for all notes presented for payment was left by the suspension to the discretion of the directors. Now, what actually occurred? Did the bank exhaust these £13,000,000 of gold on its business wants and on the payment of additional notes sent in to be exchanged for gold? Nothing of the kind took place. The suspension of the Bank Charter Act of 1844 produced no effect whatever on the Issue Department. Not a sovereign of the £13,000,000 of gold was touched. Neither the bank, for its banking wants during the crisis, nor the public, as eager to obtain gold for its notes, took away a

single pound of the £13,000,000 of gold set free by the suspension. A brilliant proof was thus won that the Act of 1844 had made the Issue Department over-strong, that it had commanded the storing up of a far larger amount of gold than was required to secure the perfect convertibility of the bank-note. The Banking Department might have taken away the whole of the £13,000,000 appropriated by the Act for the sole purpose of ensuring that every note presented shall find gold in hand ready to be given over the counter for it, and yet the immediate cashing of such notes would not have been injured by a single pound.

One remarkable peculiarity in the organization of the bank has now to be noticed. The Issue Department is substantially an office of the State, acting mechanically under rules laid down by the State, yet it is left entirely to the management of a committee of the directors of the Bank of England. There are no auditors appointed by the State to report that the right number of good securities have been lodged and are worth their assumed values. This is clearly a proceeding theoretically false; it plainly offends against principle. The bank directors might prove to be dishonest men, and some day it might be found that they had sold off the securities lodged with them for ensuring convertibility. But no man has ever conceived such an event to be possible; still it ought not to be possible, and auditors nominated by the State ought to control the Issue Department.

Such is the organization of the Bank of England for the issue of bank notes to the nation—tools, when rightly made, possessing the highest qualities of convenience and usefulness for carrying on the exchanges of property on which the life of civilization itself depends. It is absolutely incontestable that the method thus adopted possesses merits of the highest order. A bank-note is only a piece of paper with a few words written upon it. Its most vital quality for doing its work well is the certainty that it can at any date be exchanged for gold sovereigns when demanded. On June 14, 1882, more than £38,000,000 worth of such notes had been issued. Upwards of £22,000,000 of gold were in store ready to be handed over if demanded. Nearly £16,000,000 were covered by securities. Gold could not be wanted for them till the £22,000,000 in store had been paid away. In the worst crisis known to trade, when losses and distrust unparalleled prevailed, £13,000,000 of gold out of these £22,000,000 remained unasked for by the public. What reason then is there to fear that the whole of these £22,000,000 will ever be demanded by notes in circulation pouring in for pay-

ment? And even were such an inconceivable event to happen, there would still be securities to make the remaining £15,000,000 safe; £11,000,000 consist of a debt due by the Government to the bank. The Government would be summoned to pay its debt, and it could not resist the claim of the holders of notes to pay that debt to the Issue Department, on the faith of which these notes had been accepted by the whole people. What greater guarantee for safety and soundness can be needed by any note circulated? The Bank of England rests on the best method of issue which the world has yet seen. Every note is made safe. Instant convertibility has never once been really threatened. With what faults, then, can it be reproached? With not a few, replies Mr. Bowlby Willson. Are these charges well founded? The answer to this question cannot fail to be important and interesting.

The first complaint brought forward by Mr. Willson is that by the law of 1844 the Bank of England "invests all its own capital in long or perpetual annuities," and if such a practice is sound for the bank, "it is equally good trading for merchants to do the same." This he considers, and rightly considers, as a palpably bad proceeding. He regards "the notes held by the bank as only evidence of its own indebtedness; they are in no sense cash in the hands of the bank." This is an entire misconception of the facts of the situation, and it is not a little surprising that so able a man as Mr. Willson should have fallen into it. The notes held by the bank in exchange for the securities *are* cash. The bank holds them as part of the public. They are money, true money—paper money in form, but in substance tickets which can instantly procure gold for the asking. Mr. Willson failed to perceive that when the bank obtained notes in exchange for the £15,000,000 of securities it sold them, and was paid for them with notes—that is, with gold instantaneously procurable. The Issue Department has bought the securities; the Bank of England has received so much cash in exchange for them, and can and does use that cash in its business for any purpose whatsoever.

It is idle, therefore, to say that "the best thing to be done by the bank is to sell all its securities and bank on cash, and that is the only true remedy for the evils connected with the sensitiveness now engendered in industrial circles by its efforts to regulate the trade in bullion by raising and lowering the rate." The regulating the bank's rate of discount by the movements of bullion has no connection with the gold in the Issue Department—none whatever. To sell the securities would not bring to the bank a pound more of money than what

it got when it lodged, gave away, the securities for notes. The securities, as said above, *were* sold when the bank got notes for them. The bank could not get at those securities except by returning the notes it obtained by lodging them with the Issue Department; and when it had sold them it would only get, perhaps, the very same identical notes back again. The bank would be just where it is now.

This use of the notes by the bank lasts as long as there is gold in the Issue Department; but, of course, it is possible that notes may have been sent in from the total circulation and cleared away all the gold. If in that case still more notes are presented, then clearly the bank must repurchase its securities with gold; or, if it is unable to do so, the Issue Department must sell them for what they will fetch in the market. But, as we have said, such an event is really inconceivable, unless conquest by a foreign enemy shall have overtaken England. The £13,000,000 of gold calmly reposing in the Issue Department in 1866 is a complete disproof of the practical possibility of such a disaster.

And here it is important to observe that this ignorance of the real position of the securities lodged by the bank in the Issue Department had led Mr. Willson in many places into mistaken remarks on the possession and use of these securities. Thus he speaks of "the wrong system of banking which invests a large part of the depositors' capital which the bank has borrowed on long securities, liable to wide fluctuations of market value, and leading to the frequent invoking of the intervention of Government to save it from disastrous losses or being compelled to suspend payment." He totally forgets that the bank sold those securities to the Issue Department, as has been shown above, and obtained notes for them on the sale. It received full value for them in money, in notes instantly commanding gold. If the bank gets into difficulties from these securities (save from the practically impossible necessity of having to rebuy them back with gold), those difficulties come from the use of the notes or the gold procured with them. The securities are innocent of all trouble to the bank until the Issue Department is stripped of all its gold. Till the securities have to be repurchased the bank has no other connection with them than that which the general public equally possesses, except the enjoyment of the interest which they annually bring.

Mr. Willson concludes this subject with an exclamation of despair of "hoping to make converts of men who are successful traders and yet

can no more comprehend either the process or the result of a mathematical demonstration than they can Hebrew or Sanscrit." He only hopes to obtain from some of this class a reply to one question—to wit: "What would be the conduct of the bank in respect to its trading reserve if the issue of notes were transferred to Whitehall, and the bank's share of notes issued on securities were alone delivered to it, and the metal on which the others were issued was held by the Issue Department for redemption only of the notes issued on metal?" The answer is easy. The system of issuing Bank of England notes would be revolutionized. Two sets of different Bank of England notes would spring up instead of one. One set, with a right to demand, would be the notes not of the Bank of England, but of a State institution called the Issue Department, based on gold lodged for every note out. The other set, a right bad one, would be notes issued on no gold specially allotted to them, of most doubtful convertibility, and taken by no one. The notes of the Issue Department would kill off such notes.

In this part of our subject it remains to notice two serious errors alleged to have been committed by the present writer, to which a whole chapter—Chapter VIII.—is devoted. Mr. Willson cites my objection on pp. 62–68 of "Currency and Banking," that "in the Issue Department the bank directors have no more authority or right to speak or act than any other person in the kingdom." To this statement he replies that "these same directors, or a committee, constitute the managers of this same Issue Department, and by the express terms of the act have power to diminish the amount of such securities" (£15,000,000), and again to increase the same as they shall see occasion." There is no error or contradiction here. The bank directors in the Issue Department are mere agents carrying out definite instructions laid down by the law, nothing more. One instruction relates to a privilege enjoyed by the Bank of England of obtaining notes on a deposit of securities, while all other persons can procure them only with gold. This privilege now extends to £15,000,000, and the wording of it simply means that up to £15,000,000 the Bank of England may obtain notes on securities. That is the instruction; it is not broken by the securities being at any time £15,000,000 or less. It is idle to speak of an error having been committed here. The committee of the bank only carry out a very definite instruction.

The second error is described "as equally palpable" (it is to be hoped that it is so) "and mischievous." The statement attacked is

that "never since 1844 has there been the slightest tendency of a run upon the bank for a single one of the £15,000,000 of notes." The statement is perfectly accurate, for what does it mean? The law is very explicit. Any quantity of notes may be issued against gold, and the Bank of England may receive notes on merely a deposit of securities. The notes issued constitute one single body; they are all perfectly alike; they must all be paid in gold, if demanded. When once they are in circulation there is no difference whatever between them. The private Bank of England is not concerned in any way with their issue or their payment until the whole of the gold in the Issue Department has departed. Then, if further notes are brought for payment, the bank must find gold for its securities, or the securities, it may be presumed, must be sold for what they would fetch. The sentence attacked for "mischievous error" says that never since 1844 has a single note been presented which required that its payment should come specially from the securities. There was always plenty of gold for all notes sent in, wherever they may have come from. No one thought or spoke of the securities. Mr. Willson is evidently unwilling to grasp the thought, though he gives utterance to it, that the notes issued are one single body, which, so long as they are paid in gold when presented, never raise any question as to their mode of issue. The remark of Sir John Lubbock, appealed to by Mr. Willson, is not well worded, that the Bank of England, *as a bank*, is liable for every note issued from the Note Office. It is liable for the notes issued for gold solely as guardian of the vaults of the Issue Department, as the agent and executive of the law. But for the notes issued on the securities it is liable "as a bank." It received notes for the securities—notes payable in gold—and if the Issue Department has been cleared out of all its gold by the public, and more notes come in for payment, the bank, as bank, must find gold with the help of the securities pledged for it. The sensitiveness referred to by Mr. Willson, as to the loss of a few millions of gold by the bank, *in its banking reserve*, has no connection whatever with the Issue Department. It is an event befalling a private bank, as private as any other bank in England. As a banker the Bank of England possesses notes out of the common stock scattered over the whole country; it knows nothing, and can know nothing, as to whether these particular notes were issued on notes or on securities. The Bank of England's banking reserve, like that of every other bank in England, is simply the amount of gold and notes which it holds in its till.

Mr. Willson now calls upon me to reconcile two paragraphs which I have put forth in pp. 66 and 67 of "Currency and Banking":

1. The gold stored and kept in the Government office—the Issue Department—in no sense whatever belongs to the Bank of England. It is no part of its reserve.

2. Gold, no doubt, is constantly asked for at the counters of the bank; but what does the bank do? It sends the notes [notes, mind, which constitute a part of its trading reserve, adds Mr. Willson,] over to the State Office, and gets gold for them at once.

Then remarks Mr. Willson: "If the gold in no sense whatever belongs to the bank, how dare the bank send the notes over to the State Office and get gold for them? Why don't some plucky Englishman have the managers of the Issue Department indicted for giving the fellows across the hall gold instead of securities?"

It is difficult to comprehend how so able a man as Mr. Willson could fall into such misunderstandings. The notes I spoke of were *not* notes belonging to the bank, but notes brought by the public to the counters simply to be changed for gold. The clerks at the counters pass them on at once to the Issue Department to be cashed. That department asks no question as to who owns the notes. They are notes entitled to demand metal; the gold is given, and the law is obeyed.

Mr. Willson now lays a second fault to the charge of the Bank of England. All the notes, he maintains, should be issued against a deposit of gold; it is a blunder to issue any notes on securities. "The plan," he says, "of founding a note issue on securities is at the bottom of the whole of the evils of the British and American monetary systems." He then describes with entire accuracy and much usefulness the theory upon which the directors of the bank regulate the rate of discount. If bullion comes into England, they lower the rate; if it leaves the country, they charge merchants more for loans. But he fails to perceive that this is a doctrine and a practice utterly unconnected with the mode of issuing notes in England. This doctrine belongs to the Bank of England as an ordinary banker; it can be and is held by all other banks, and governs their practice in lending. But it has no connection with the mode of issuing notes or with the Issue Department. If all the notes were issued on metal alone, if securities were eliminated altogether, there would be no difference in the mode of banking, not a particle of diminution of the anxiety created by the theory as to the inflow or outflow of bullion. The notes are tickets for gold; they can get gold instantly for the asking. The securities need not be thought of until the stock of gold in the Issue Department is disappearing, and in the worst of times, it should never be forgotten,

there were £13,000,000 left of untouched gold. Thus no force comes from the Issue Department on banking. It only stores the gold given for the tickets. For every purpose or idea that govern banking, whether the gold is in the Issue Department's cellar or spread over the country makes no difference whatever. Every one who has the ticket knows it to be, in fact, the possession of gold, to do what he likes with it. The existence of £15,000,000 more in the vaults, instead of securities, would be a matter of no concern to any banker; for him the notes are gold. Till the occasion presents itself of the gold vanishing, and nothing but securities being left in the Issue Department, all thought about them is purely idle for the purposes of banking. And as to the Bank of England, it has sold those securities and got practically gold for them, as it is instantly procurable in exchange for the tickets. Gold instead of notes would do no good to its banking, precisely as no man in the country is the worse off while in England for having a note in the place of five sovereigns. Indeed, Mr. Bowlby Willson himself sums the whole matter in the remark, p. 121, that "in practice a sovereign or half eagle serves no better purpose in making a purchase or in extinguishing a debt than a pound or a five-dollar note. It is simply a matter of convenience; hence the public will generally prefer the note to the coin."

The acting on the exchanges by the Bank of England in regulating its rate of discount is admirably discussed by Mr. Willson. We commend his remarks to our readers. It is a great satisfaction to the writer that he approves of the articles supporting the action of free trade and national laws on banking in the *Daily News* of December, 1875.

A third fault of the monetary system of the Bank of England now comes to the fore. The profit won on issuing notes as money is held to be gathered by the wrong person. It belongs, it is said, on principle to the State, and not a private company called the Bank of England. Here Mr. Willson imputes to me an error committed in describing the difference of the result when the property with which notes are bought is given to a private issuer or to a government. In both cases a tool of exchange is obtained; its services as a tool are all that the nation procures for its cost. But the same services are procured from a bank-note, only it costs but 6d. to procure it. Compared with a £5 bank-note, wealth to the extent of £4 19s. 6d., which must have been sent away to the miner, now remains in England. The holder of the note has to buy it with £5 worth of wealth,

of which 6d. only are consumed in making the tool. In both cases, whether the banker or the Government manufactures the note, they obtain, besides the note, the use of £4 19s. 6d. worth of wealth. I then said that "the banker, if a good banker, lends to persons who do not waste or destroy. But Government issues are directly connected with consumption. The Government spends and consumes what it procures with its notes." The distinction here drawn between the consumption generated by the Government and that created by the banker, of the wealth saved by both by selling for £5 what cost them only 6d., is an error. I confess it freely, as Mr. Willson called upon me to do. The Government with the note buys supplies which it must procure in any case by an expenditure of wealth; the consumption of that wealth is inevitable; it is not waste, but necessary expenditure. The same result occurs with the banker's supposed borrower—he uses and consumes the wealth he procures with the note; but, as he must repay £5 to the lending banker, he invests what he borrows in a reproductive business.

Here Mr. Willson brings a fourth indictment against the English method of issuing notes. It violates "the greatest of all truths in monetary science, namely, that gold coin is not only the best but the cheapest money the people can have." Marvellous words, indeed, to have fallen from the pen of so strong a thinker—a tool costing £5 worth of wealth to make is cheaper than one costing only 6d. for doing the same identical work! Such language, falling from such a quarter, makes one despair of a subject really so simple as money being ever understood. A sound Bank of England note and 5 sovereigns circulate the same quantity of wealth, effect the same buying and selling with equal efficiency, yet one is only a piece of paper, the other a quantity of precious metal. But, we are asked, how can two tools so utterly different in their nature perform the very same service? A tailor who gives away a coat for 5 sovereigns gets precious metal worth his coat; how can he feel sure that with a note, a piece of paper, he will be able to buy other things worth the coat which he has lost? The explanation is that a ticket for the gold is as good a tool for the work to be done as the gold. But how can that be? Because the tailor does not want the gold for use, but only for value, for what it is worth; the power of getting the valuable metal pledged on the ticket when he chooses is sufficient. If he insists on sovereigns, he could not use the gold of which they are made as metal, but only as value, and the ticket possesses that value, because it can immediately, for the asking,

procure the precious metal. Thus we see the vast cheapness, not of the gold money, as Mr. Willson held, but of the paper ticket. So far as gold must be kept in store for a paper currency, no gain is won, but for every note uncovered with gold lodged there is a clear saving of £4 19s. 6d. in the construction of the cheaper but equally efficient tool. The soundness of both moneys is built on the same basis, on gold. The note in reality buys with the power of gold. But it needs not itself to be made of the metal; it is enough that the metal can be had for the asking.

But inconvertible paper money is a wholly different thing. No man of common intelligence can defend it. Such money is a collection of pieces of paper—nothing better. Mr. Willson is perfectly right in denouncing it; but then, strange to say, he immediately builds upon its condemnation (p. 249) one of the strangest fallacies conceivable: "It will be seen, by a careful consideration of these transcendently great truths, that if the nation delegates the power to banks and private parties to issue paper money it is done solely with the view to enable such to make a profit, while the public at large derives no advantage whatever from the result. What, then, becomes of the theory of Adam Smith and others that the issue of such notes cheapens the cost of money to the nation? By this method of cheapening money, as I have many times shown, you are only giving a dangerous monopoly to a very limited class, who have always been led by motives of gain or downright greed to abuse it." In the passage immediately preceding, inconvertible money alone is spoken of; the "transcendently great truths" are leveled against it; but are all issues delegated to banks and private parties inconvertible? Are the bank and private issues still existing in England, Scotland and Ireland inconvertible? Did Adam Smith, when he put forth his theory that the issue of bank notes cheapens the cost of money to the nation, speak of inconvertible notes? Did he advocate paper notes placed at the mercy of the downright greed of banks and private parties to cash them or not, as they chose?

We now reach the fifth and last fault charged on the organization of the Bank of England by Mr. Willson. He objects to the power of issuing bank notes being given to a private bank. He lays down that "a well-conducted State department in such countries as Great Britain and the United States would supply the best industrial tool in the form of paper," and he hopes that "a State issue department, pure and simple, shall be created and established at Whitehall." He repudiates

the issuing of notes by private bankers; he claims that function for the State exclusively, as a public right by its very nature, belonging to the whole country, the State. He consequently demands that the profits gathered by the issue of a paper currency shall be reaped by the State, for the benefit of the people, and objects to the profits under the mode of issue adopted at the Bank of England becoming the gain of the public company called the Bank of England.

On this important matter Mr. Willson seems to believe that I am probably in favor of "the policy of delegating the prerogatives of the State to issue paper money to joint-stock companies and private persons." As a general principle, I have never held such an opinion. What I have thought, and think still, is that no worse issuer of paper money can be conceived than an absolute and unrestricted government. Under such a system the convertibility of the note will always be in great peril. The temptation of an embarrassed government to extinguish the claim of having the notes cashed on demand, and then to declare them to be legal-tenders, is often irresistible. To such a system the issuing of the notes by private companies or banks, with the obligation, under pain of bankruptcy, of giving gold or silver for them on presentation for payment, seems to me immensely superior. Still, this last method is not perfect. Banks get into difficulties, and may easily use what they receive for their notes as their own property. Both methods are bad; a really good one is not easy to find.

But such a good method, I hold, has been found; it is exhibited in the Issue Department of the Bank of England. As has been above explained, the Issue Department is really an office of the State. The directors have no discretionary power over the issues. The rules are laid down by act of Parliament, and by act of Parliament alone can they be changed. They were, indeed, in 1844, broken by order in Council; but no change, in fact, resulted from the order, and there was excellent reason for supposing that the end of the stock of gold would not be reached. Not a man in the kingdom doubts that he can always get gold for his notes whenever he pleases. What more can be desired?

True, Mr. Willson might have replied, but the profits of the issue go to the private company, the Bank of England, and not to the people to whom they justly belong. He distinctly complains of this misappropriation; but the answer is easy. The State is under a heavy obligation to the bank, for it owes the bank upward of £11,000,000. If the bank is to gain nothing by the issue, it would have a clear and

irresistible right to be repaid this debt due to it of £11,000,000. The Government could not effect the repayment except by the creation of additional consols. The interest due on them would be a burden on the State. If there were no debt due by the Government, then the argument of Mr. Willson would be unanswerable. The private company, the Bank of England, could make no claim for the profits.

Mr. Willson is now led to consider "the wrong theories held respecting money and bullion." He rightly holds that "the trading power of these notes differs in no way from that of other commodities; it varies with their gross market value." He finds a scientific and practical difference between money, the manufactured article, and bullion, the raw material. On this subject "the best writers on economic science, from Adam Smith and McCulloch down to the city authorities *et id genus omne*," fall under his heaviest censure for "confounding money with bullion." He is astonished that "so good a reasoner as Mill should ascribe to imported money the same value as to imported bullion, the value being determined by the same laws as those belonging to any other production."

In dealing with this question we shall limit ourselves to the money of England, the golden sovereign; but it must be admitted that there are many kinds of money existing in the world in which the metal contained in coins varies from different causes in value from the value belonging to the metals of which they are said to be composed. These are bad moneys, and cannot be discussed here.

Money is a tool contrived to get over a difficulty which would have been fatal to the production of wealth on a large scale and to the civilization of mankind. Division of employments is the greatest of economical laws. Men must, and do, make for each other; it is the one indispensable condition of progress. But how are they to distribute with each other the products they have created? Evidently goods must be exchanged for each other, as Mr. Mill has seen with admirable clearness. But here a most formidable difficulty at once presents itself. The hatter makes hats and a farmer wants one; but the farmer has only a calf or a bag of corn to give for the hat. The hatter does not want a calf or corn, the exchange becomes unprofitable, and the growth of civilization is in jeopardy. Money gets over the difficulty. A sovereign is composed of a piece of gold of a certain definite value—a value determined by its cost of production. The hatter will take a sovereign for his hat, because he knows that the metal which it is made of is exactly worth his hat. The farmer buys a sovereign with a bag

of corn, and with it obtains the hat he wants. The corn buys the hat. Thus the sovereign is a mere tool. It is not bought for its own sake, for use as a piece of metal; it is wanted solely for its value. The hatter knows that the same motive will determine the shoemaker to give him a pair of shoes which he needs. The metal of the sovereign is a full guarantee to him that it will be so. The metal of the sovereign is not used. Its power in buying and selling lies in its value, and that is the reason why paper money is possible. The ticket which can always get the sovereign out of the cloak-room passes on the value of the coin to the seller.

Thus it is the value of the metal which buys. Not so, says Mr. Willson; we must add to it the cost of the coining; the cost of the manufacture adds to its value. To this the English sovereign replies, No. Any man may bring bullion to the bank and get the same quantity of gold given to him immediately in sovereigns, with the trifling charge of $1\frac{1}{2}$ d. added to each ounce of sovereigns. But this is not a charge for coining, but for interest on the bank giving the coins at once, instead of waiting till the gold brought is converted into coin. That sovereigns and gold possess the same value is proved by this fact, as also by the constant melting down of sovereigns abroad, as furnishing worth of sovereigns. Mill, therefore, is right when, as far as money is concerned, he ascribes the same value to imported money and to bullion.

But Mr. Willson is correct and strong when he exposes the flagrant error of Mill in describing "the demand for money as consisting of all the goods offered for sale." Mr. Mill's conception of the action of money is radically false. Goods on sale are a demand for other goods. No one wants the money except as a machine for getting those other goods. For many articles money is indispensable. Cabbages and fruit in an open market can be procured with money only. Not so with the vast multitude of other goods. Money is not wanted nor touched in selling and procuring them. It is only mentioned and calculated on paper, but not handled. Writing and pieces of paper do almost the whole of the work of exchanging, of buying and selling. Checks, bills, accounts, debts, credits and arithmetic pass the ownership of most wealth from one man to another. The goods change owners without the tool, money, being used in any way. Goods of the gigantic value of some £120,000,000 are bought and sold every week in one single town alone, in the Clearing House of London, and not a penny is touched. What, then, becomes of Mr. Mill's doctrine,

that "the money and the goods in the market are seeking each other to be exchanged; that they are reciprocally supply and demand on each other"?

It is very refreshing to find Mr. Willson warning "the leaders of public opinion in his own country (the United States) as well as the Bank of England doctrinaires, and through their influence so large a portion of the trading community of England of the folly of reviving the old mercantile theory, and viewing with satisfaction the flow of bullion homeward." He is no believer in the absurdity that precious metals are more desirable and substantial forms of wealth than other products of industry, as if gold coin was a thing to be coveted for its own sake, as if it was the wealth which humanity requires for use and progress. He denounces with great vigor the ignorant policy of acting on the exchanges—so fondly clung to by bankers—in order to direct the flow of gold from abroad into the bank's vaults, as if locked up, gold was of more use than so many pebbles, and that to buy gold with commodities which have cost much labor and expense to make was the highest conception of successful business and enriching wealth. Men animated with such ideas look with terror on a country permanently receiving a vast excess of imports over exports, as if that fact by itself alone, if it continued, did not demonstrate that it possessed many investments abroad of which the interest is remitted in the only form of true wealth, commodities useful for consumption and enjoyment. In what way does a foreign nation which buys goods and imports them pay its profits to the exporting country except by sending back merchandise of its own making? It buys them at the full price, profits included, and the payment is effected by a dispatch of goods of equal value. Trade is not exchanging goods for money, but goods for goods, and, as Mr. Willson excellently remarks: "There is no distinction in principle between domestic and foreign trade." The foreigner, like that mighty instrument, the Clearing House of London, carries on his business by causing wealth to be exchanged for wealth.

But it is perfectly true that at various times inequalities occur between exports and imports which fall under a different explanation. Various accidental or natural forces may for a while engender special purchases of goods which create a balance of trade that has to be settled by bullion. Speculation, bad harvests, urgently calling for immediate purchases of foreign food, loans, and other causes, frequently upset for a time the fundamental process of all trades—goods for goods. But, as Mr. Mill truly remarks, such inequalities "tend to

equilibrium." The disturbing force ceases, debts are liquidated, and trade returns to its normal condition. And what is true of trade holds equally of loans. Loans are nominally made with money, but in reality they leave the country of the lender in merchandise. The millions borrowed of England by her colonies are all expressed in money, but they pass into the colonies in the shape of industrial products. Australia borrows no gold from England, though she often borrows loans. What she does is through a debt recorded in pounds; she procures iron, clothing, locomotives and endless other products of an older civilization. It is not money that passes the ocean. Is this a bad trade for the colony? Yet it leads to a vast increase to her of imports over exports.

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CONTENTS:

	PAGE
Protection to American Art. THOMAS DONALDSON - - -	95
The Social Reconstruction of England. H. M. HYNDMAN -	110
Admission of Women to Universities. FLORENCE KELLEY - -	130
Decline of the French Premiership. I. N. FORD - - -	142
Trial by Jury. CHRISTOPHER STUART PATTERSON - - -	158
Our Future Banking System. ALBERT S. BOLLES - - -	168
The Divine Law of Divorce. EDWARD QUINCY, JR. - - -	178
Poor Pay and No Pensions. FRANK D. Y. CARPENTER - -	187
Our Land-grant Railways in Congress. GEORGE W. JULIAN -	198
The Story and the Meaning of the New York Election. DUNCAN C. MCMILLAN - - - - -	213

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THE INTERNATIONAL REVIEW.

FEBRUARY—MARCH, 1883.

PROTECTION TO AMERICAN ART.

THIS article will consider art in a commercial sense, the artist as a skilled mechanic, the purchaser of his wares as a tradesman, and the duty of the government in aid of the commerce. A picture or piece of statuary represents both labor of mind and hand, and in no calling does real earnest work pay as well or is more requisite.

Art growth in America, due to the lack of generally diffused wealth prior to 1865, snobbishness and unnational sentiment, had been slow. Thirty years ago a roll-call would have found scarcely a hundred persons dignified by the name of artist. Inherited wealth usually makes snobs who believe we have no art in America, neither can we produce it. The only thing perfect is themselves. Europe, in most instances, fortunately gets their vices, but unfortunately receives much of their money for, in many cases, inferior art.

American art finds its worst enemies amongst its own citizens. There has been no art revival in America, for our traditions of it are English, and come from the period of the beginning of true English art, the time of Reynolds, West and Turner, and we have kept well abreast of them.

Our collection at the Centennial Exhibition in 1876 was a revelation. Our people were astonished by our art wealth and progress. Surely we were not excelled by any nation there except by Great Britain and the Netherlands. This exhibition moved our people forward generations in the love of form and beauty, and planted anew love of art.

Our national exhibit at the Paris Exhibition of 1867 was fairly good, but at the Paris Exhibition of 1878, with the exception of ten or twelve pictures, was a collection of fragments of art. A limb

painted by the rule of the Munich school, an arm after Fortuny, a landscape following Corot, a figure after the manner of the Düsseldorf school, a head after Cabanel, but few really American pictures were hung, and such as were American received attention and commendation.

We want in American art originators, not imitators; men and women who can gather up the elements of our heroic, sentimental or every-day life, and, welding them with the fires of genius, aided by the cunning brush, add lustre and splendor to our country's name.

Art is indigenous to America. If it had remained unknown in Europe it would have been developed, as all elements of true art exist here. The skies are as bright, the waters as clear and laughing, the flowers as varied in form and color, the men as well molded, and our women and children as beautiful here as elsewhere. Artists here revel in the beauties of nature and riot in scenic splendor. Still the art influence of Europe has been a powerful lever in the education of our artists and the spread of the taste for art and artistic things.

Copies of the classics (we can't get the originals), of marbles, oils and bronzes, are found at every hand. Our artists, in robbing beauty of its form divine for their canvas, or in reproducing her in marble or bronze, are not forced to copy from the frozen form of the dead past, but find models on our streets each day, living, breathing flesh and blood, that in elastic form and grace of beauty rival the marvelous poetry of the figure of the Venus of Milo or the classic lines of a Dianian goddess.

We can produce just as good works of art in America as can be produced in any other country.

Can any living artist paint a better landscape than Thomas Hill, Albert Bierstadt, George Inness or Thomas Moran? Can any more effective painters of figures than Eastman Johnson be found? Does any man or woman in Europe do cleaner, brighter or more pleasing work than J. G. Brown? Is there a living artist that can paint such water as is in the Niagara of Church? Who places more natural cattle in possible landscapes than Peter Moran? Did any man living or dead ever understand and put upon canvas ærial perspective as did Sandford R. Gifford? His touch of the brush was a symphony; his completed pictures poems. Does any man in Europe make a truer portrait than Daniel Huntington? Has any man lived since Washington Allston who could produce with color the effect that Peter F. Rothermel can? Does any person in Europe excel

Wordsworth Thompson in the sentiment of national subject when he paints his scenes in colonial life? Does any one in Europe do better marines than Edward Moran? And these are but a few of our art worthies.

The first century of art in America is vocal with splendid names. The last twenty-five years of the century are an epitome of our art history. Unexpected and splendid development has been the result. Art has entered into the fiber of our daily lives, and has taken its place among the important factors in the problem of the civilization of a people. The illustrated weekly and monthly periodicals and current books are art educators, and the best of their class in the world. Many of our first artists, following inclination, or instead of issuing "pot-boilers" for cheap sales and to feed hungry mouths, put their skill to drawing for illustration. You can hardly sell an inartistic piece of furniture. Art on all sides and in all trades.

Between \$5,000,000 and \$6,000,000 worth of works of art—oil and water-color paintings, etchings and statuary—was sold in this country in 1882, of which our artists sold less than \$700,000 of their own productions. Thirty firms control the art trade. Three firms in Paris put prices on foreign pictures and fix their value. Six firms in America can make or destroy the value of a picture. The art dealers are benefactors because they make a market for the artists' work, and without them the business would not pay. They are the middle-men who invest the capital and stand the losses, for pictures, like vegetables, get stale and will not sell.

Thirty years ago we had no art schools of importance in America, and so our ambitious young people were sent to Europe for art education. To-day we have eighty-eight art schools and associations where instructions are given. Boston, New York, Philadelphia, Washington, Brooklyn, Baltimore, Cincinnati, St. Louis and San Francisco have become art centers, with galleries and academies. These schools contain one hundred and ninety teachers, instructing more than three thousand people. We have seven art publications of character and ability. More than one thousand eight hundred professional artists were enrolled in 1882, of which number more than one thousand are dependent on art or art work for a living. The art guild is constantly growing in membership. While the market for foreign art increases the demand for American art does not increase. What is to become of our yearly increasing numbers?

In 1882 twenty-seven art exhibitions of oils, water colors and etch-

ings were held in sixteen cities, at which were sold of home productions fifteen hundred numbers, at a catalogue price of about \$180,000. Of course, the catalogue price does not always obtain. In 1883 the exhibition art sales so far have not been so large as in 1882. These exhibitions are attended by friends of artists and students, and largely increased prices are frequently paid for family or other reasons. They are fairs, bazars, places of barter and sale. They would not be held if it were not for the commercial feature. Alas, how many artists wait for sales at "the exhibition"—sales which never come. Regular auction sales of foreign pictures are held in the cities by dealers or consignees. Some fifty were so held in 1882. But few American pictures are found in them, because our artists cannot compete with foreign artists; and, besides, most of our people will not pay a fair price for home pictures. They seem to prefer inferior imported pictures with long names attached. The names of many of them were probably placed on them after their arrival. Besides, when showing their treasures Brown seems so flat to pronounce when you can have a Ko-roë. And in addition you can show your French. Our artists in a general sale would be woefully slaughtered. They limit their pictures as to price when entering them.

Our younger artists suffer from the competition with low-priced foreign art. They cannot now sell their works to the dealers at any price. The dealers cannot sell them, and can handle cheap European art with more profit and find ready sale for it. One can buy abroad a respectable-looking picture for \$5, such as sell here at from \$25 to \$50.

We have no governmental aid of art in the nature of scholarships, or rewards, or institutions, and probably never shall have. Still, the great national museum under the Smithsonian Institution at Washington will no doubt some day contain a collection of American art. All of this is left to private effort, which is with us now universal in aid both of art and art education. Besides our incorporations and artists with pupils as well, we have one hundred and eighty private collections, with more than sixteen thousand pictures, some containing \$200,000, \$300,000 and even \$1,000,000 worth of foreign art. The best collections of the contemporaneous art of France and the continent are to be found in our country. Americans for twenty years past have been the best foreign art patrons in the market. For one to speak a word in a foreign studio or art store indicating that he is an American is instantaneous notice for the goods and wares

to go up from 100 to 200 per cent. These private collections are opened to the public at stated times or on application, and are fertile fields for the student. Many of our collectors find quite as much pleasure in showing their gems and treasures to art lovers as in the fact that they own them. Many of these great collections, with shame be it written, contain no American pictures; some but one, some two or three.

We want American buyers for American art, and dealers to handle it. It is now amongst our very rich the best form to ignore American art. The fact that our artists have Saxon names has much to do with this. The free-trader in art asserts that the more foreign pictures sold the more American pictures will be sold. In the face of the record this is not true. The more foreign pictures sold the more will be and are sold. Again, they assert that when our artists paint as good pictures as do foreign artists our people will buy them. The answer is that in many instances they do paint as good pictures, and that the art knowledge of eight-tenths of our buyers of art does not go to the question as to whether a picture is good or bad on merit, but is it fashionable? Is he great in Europe? Was he in the "salon"? Has Mr. Jones one? Yes. Well, send me up one. Just as they would buy a piece of furniture. Millionaires frequently have their art collections made by dealers entire. The purchase by a millionaire of a picture of an artist, and the fact well advertised, is worth a great deal to the painter or dealer. Frequently the run of an artist's pictures is regulated by the number of private galleries or collections in a neighborhood. A dealer sees that his stock does not carry many "old duffers," or used-up men. Our rich men will have the fashion; will not be excelled in possessions. This is a strong American idea.

During the war for preserving the Union a chaplain of a Western regiment one morning said to his colonel, who was not particularly devout, "Colonel, I regret to have to call your attention to the loose morals of our command. It does no credit to you, and it reflects no credit on my ministrations. We should have an awakening of interest in religious matters. Why, Colonel Jeffrys, over there, of the ——— Connecticut Regiment, has had a glorious revival amongst his men; yesterday they immersed twenty men." "Indeed," said the colonel, "where"? "Down in the creek." "All right. Orderly, send me the adjutant. Adjutant, have a detail of three men made from each company immediately; let them report to the chaplain. You go

with him. Colonel Jeffrys, of the —— Connecticut, has had twenty men baptized in a creek. No condemned dried-apple State colonel shall excel me or my regiment. You take these thirty men and find a river—no creek—and dip them; we'll go him ten better."

Step into the immense art establishments and stores of New York, Philadelphia and Boston. Do you find American art on the walls? Perhaps a stray picture, taken in trade; a chance purchase, or one hung by a venturesome artist, who can afford to wait. Our American art stores are the annual and other exhibitions, and a few small dealers with but little capital.

American art stands lowest among our collectors. One art collector, Mr. Thomas B. Clarke, of New York, has a collection of American art, costing a moderate sum, containing pictures of rare merit and excellence, better in every view than half of the private collections of foreign art, costing ten times the money. Mr. W. H. Vanderbilt's collection of two hundred great names contains one American picture. Gradually, however, some of our people are beginning to feel that we have good art, and several gentlemen are now making American collections.

The making of a picture is just as much a mechanical art as building a ship. Brains, tools, materials, experience, skill and labor are required for both.

Art ideas may be conceived at any time and in any place—genius is universal. The inspiration may come at any time. After the idea the artist lays his plans, blocks out his colors and goes to work to execute it, just as one lays out any other business detail. Artists, when impressed with an idea, do not rise hastily from bed, grab a brush and let drive. Neither, when in company and seized with an idea, do they rush from the room as if seized with a colic, and reaching a mall-stick and pencil, add immortal glory to art and beauty. An evening company of artists thus seized at intervals with inspiration or art ideas would much resemble a prairie-dog village. A large admittance fee could be obtained for a view of such an assemblage. No three acts and a catastrophe in art. The melo-dramatic is no element of its duties. Certain colors when mixed produce certain other colors; certain laws of light and shadow produce certain effects. Nature reveals it all. She is never harsh nor crude in her colors. Experience, memory, knowledge, manipulation, all enter into making a picture. Art work is labor, and a vast deal is requisite in the making of a picture, and frequently a great deal more in the selling of it.

The word "orders" is of great interest to artists. Generally successful artists are good business men.

A picture, when completed, has no actual value, differing from almost any other article the result of labor. Culture makes art values; fashion also. It has absolutely no value; you cannot eat it, drink it or wear it. A Raphael or Titian would not procure one a meal of food on a commercial basis. The value of a picture depends sometimes on the name of the artist, but as much and more upon the ingenuity and tact of the seller and the pocket of the buyer than its real value. A sale to close an estate or a gallery, when there is no limit to the prices, generally casts a damper on the art business in a neighborhood for a season.

Pictures have a wholesale and retail price, like sugar and flour. The artists are at the mercy of the dealers and discount prices to them, just as any other vendors of wares. Sometimes artists get rich patrons or influential friends and a few sales and make a competence. These can be counted in America in a moment or two. Pictures have their seasons and styles, just as other articles of luxury and taste, and but few will bring even a fair price at the end of a decade.

Artists, like other workmen, eat. They do not at all times join the choir invisible in thought and soar away in the spiritual world. Landlords, butchers, grocers and other matter-of-fact persons, sometimes called creditors, frequently are met with in the journey. Sometimes they have families, and they eat too. A workshop must be hired, a studio, brushes, tools must be purchased, colors, materials must be obtained, all of which follows a long and costly term of study, learning the trade. It is an expensive trade to learn, and in this, as in other trades, no person can learn it and make a living at it at the same time. Models are costly items of expenditure.

Since the enactment of tariff laws art has been treated as other commercial matters. It should remain so. We have a great corps of intelligent, competent workmen, ready and willing to produce good art for our people. They cannot compete with foreign art. They cannot make pictures and live in the face of the fact that more than seven-tenths of the money expended for art in our own country is for foreign art. They do not receive the home encouragement they deserve. They have brought American art fairly to the front, worked hard, and now should be cared for by our people. The methods of instruction in our art schools and academies are from the best forms in Europe, viz.: with life models and objects of still life, improved by

advanced methods due to American genius. Large sums of money have been paid for art education in Europe and here, coupled with years of toil and labor. We have searched the byways of Europe for methods of instruction. Nothing new in art in Europe but what reaches here within a month or two. The photograph is a ministering angel in art. Why should not the labor of art be protected by an adequate duty, as other articles of commerce, so that our art people could live while they produce true art?

No matter where we received our inspiration, culture or education in art. Granted that Europe furnished it, and may in a measure continue to, we paid and will pay for it. It's a commercial transaction. We have passed our boyhood—are out of small clothes. We may have copied their forms, methods and manner of producing art, just as in many cases we have copied their tools, fabrics and machinery in the applied arts, and then, after we became manufacturers of their products, had cultivated labor to produce these things, Congress promptly put a duty on to keep out the foreign competition. Art, as a trade, stands upon the same footing in this respect as other trades. Why should it not be protected? No element of gratitude enters into trade. "Business is business, my love."

It is urged that art should be admitted free of duty, to the end that examples and models may come into the country free for the purpose of study and comparison. All art for such purposes does now enter free, and is on the free list. But, says the free-trader in art, all art should come in free.

Art in private hands becomes purely an article of luxury, elevating in its tendencies, but a luxury. If it is admitted free, why not all other articles of luxury?

How much benefit to art in America is a picture by Dupré when imported by a gentleman and hung in his parlor? Does it increase the sale of American art? Who sees the picture so hung? Does he not get a low opinion of the art of his own country, not because it is bad, but American, and continue to buy foreign art? How many collectors can be found who started with collections of foreign pictures who have discarded them for American pictures? On the contrary, does not almost all of the collectors, sooner or later, if they have American pictures, to discard them for foreign art? Will not free art for private use be the serious disadvantage of our art? Why should Mr. Smith import a picture worth \$5,000 at 10 per cent., or free, to hang in his private parlor, lock it up in his house for the select few,

while Mr. Brown, who imports a Sevres vase worth \$5,000 for the same purpose, pays \$2,000 duties at 40 per cent. *ad valorem*? Both are art, both are luxuries; but in the one case the logic is that an artist is not a workingman, don't eat, lives on air, needs no protection, while the painter who decorates the American vase, and the potter who makes it, are workmen, and do eat, and must therefore be protected from the art work the result of cheap labor.

Why permit one person to import an oil painting at 10 per cent., or free, as is urged, while another person, who loves engravings, must pay under existing laws 25 per cent. duty?

Why do not the free-art people rush at Congress—jumping into the arena with a scream, and shouting, "We want free engravings; engravings are art, we thirst for them." One reason why they do not is because a good engraving, as a matter of art, is worth a dozen ordinary foreign oil paintings (or domestic as to that matter) or water-colors. Persons of taste in America usually prefer engravings to inferior oils. Why should they be taxed for their love of art? Why should not engravings be entered free? We have no plate engravers now in America, in practice, no one to protect. Why keep up this revenue?

We want foreign art, if good, to come to America. No matter if the duty is 100 per cent. such art will come, especially if high-priced. The ordinary people do not buy such pictures. A high protective duty will keep out the inferior pictures (better still, a specific duty on this class of worthless trash—our chromos are infinitely better in an art view than 50 per cent. of the pictures brought from Europe), and increase the number of high-class pictures. It is only the very rich who can afford to buy such pictures and pay \$50,000 for a picture by the master of modern times, Meissonier, and many of them would prefer to pay \$300,000 for such a picture if they could get the only one, just as they are willing to pay a great price for a horse, a piece of furniture, blooded stock, a yacht, or anything of the kind. Men who can afford to buy luxuries are always willing to pay for them. Pride of possession, vanity, egotism, desire to be known as an art buyer and owner, sometimes side by side with genuine love of art, can always be relied upon to get the best art in Europe and bring it to America. Pictures from collections are frequently loaned for art, charitable or other exhibitions, and aid in developing art taste.

Prejudice and ignorance are now the chief drawbacks to America's appreciation of her own art.

We must inculcate in our buyers a love for American art, making thereby a market for home subjects. We must require at the hands of our artists the production of American subjects.

Are we barren of motive, incident or subject? No Indians, with their fast disappearing nomadic life. No colored race, with its plantation and home scenes—a race fast becoming Anglo-Saxon. No incidents of the late war. No deeds of valor. No quaint and pretty interiors in old New England—wide hearths and generous fireplaces, with tidy and neat, bright-faced girls, who lisp with puritanical accent the sweetest of welcomes. No cloud-kissing mountains with snow-hooded peaks, around which lights and shadows dance in robes of purple and gold. No leaping cascades down valley and dell, where the stars reflect their beauty in water of crystal light, and ferns and willowy grasses join hands in dreamy sleep. No sunsets over great plains, majestically beating in unbroken waves of crimson glory from the Pacific to the Colorado. No trappers and hunters. No Southern life with its fire and finish. No great rivers singing to the sea, groaning under the burdens of steam and sail. No quaint streets, with picturesque houses in Boston Town; nor in Penn's beloved Philadelphia; nor in the Knickerbockerian paradise, New York. No gay flowers and French spirit in New Orleans. No ancient life in New Mexico. No realities from the war of the Revolution. No grim old Continentals in ragged regimentals pushing onward, through winter's storms and summer's heat, always earnest, true and brave in valorous deeds of daring and devotion. No stately dames and dons of colonial times, in quaintest of dresses, walking through the stately minuet in powder, bag, wig and ruff to the time of Sir Rodger. No lumbering stage-coach, with its solid horses and sturdy front. No events to mark the changes in the progress of mankind which have been worked out in this new world of ours. No scenes where the onward march of civilization plants each hour a monument to the past.

The area of half a dozen Europes, and no subject; a land filled with tourists from abroad, delighted with our splendid scenic resources, while our artists must go abroad for subjects; or, standing in the presence of a copy, or imitation, or scene in European home life, including frequently a pair of wooden shoes, on their easels, say this is the best that can be done by an American. We fill Europe with our handicraft—watches, tools, and textiles; our art workers in metal and cloth are sought for as distinctively American products; why not our paintings? No government aid by premiums or rewards will help this.

It must be done by the growth of the idea and the strength of the individual and the progress of nationality. Personal effort alone can accomplish this. The artist must make the effort, aided by wise laws, and the public will soon reach up to his elevation. At present not 25 per cent. of pictures painted by our artists have any relevancy to the country, its history, aims or hopes. Home art should be encouraged by surrounding the profession and trade with the sanctions of the law given to other artistic trades or callings.

Art has opened new fields of labor for women and for persons incapacitated for manual labor. The taste for art is now universal. Why should it not receive from Congress the benefit of the protective system which has built up the American republic and made our land a hive of industry? You protect the brain labor of literary people, the hand labor of the mechanic skilled and unskilled, why not the labor of the artist?

It may be said that some of the artists prefer and want free trade in art. The answer is, that sometimes persons do not really know what is best for them until after a second thought, and that such are few, and a few have European art educations, and rely much on the prestige of "pupil of Cabanel," "pupil of Madrazo," in the catalogue, and therefore want as many of their masters' pictures sold in this country, and at as great figures, as is possible, and want every inducement offered for their coming.

Many of our younger artists have been grievously injured in ideas of life and duty by their European art culture. Going abroad when young, knowing but little of their own country, its history, resources, character, magnitude, or moral force or power, they easily fall a prey to foreign ideas, and, meeting so many American snobs abroad who scatter bad and villainous opinions of America right and left, become thereby prejudiced against their own land. These gentlemen believe their mission is to introduce in America European art, while the American artist finds his vocation in the building up of his own art. There is much hope for this class of most earnest and intelligent gentlemen, who will some day ascertain that America is a fairly good and honest country, containing a moderately good people, and whose range of art subjects will give them sufficient employment without their following European originals or in copying their pictures!

The thin skin or fringe of Atlantic coast cities—art centers familiar to these gentlemen—are but an incident as compared to the nation to the westward. Breadth and compass of subject may be acquired by a

visit to or an inspection of the United States. "There is much good in Nazareth."

A few art-people say that art is not labor; it is inspiration. Well, yes—and execution. The inspiration through impression, and thought, or by either, and the execution by labor. If inspiration is art, and pictures are inspirations, and inspiration is thought, why do not some of our artists try to market an inspiration picture? Why not employ an inspiration artist to stand a couple of hours, during a reception in a gallery or parlor; it would be cheaper than to buy canvasses, pose him on a pedestal, or hang a frame about his neck. Let him have a fine frenzy on his inspired brow. Let the inspiration machinery go to work, and as it varies its conceptions, the host or a servant call out, "Now he is a landscape, now a battle, now a raging ocean, now a horse, and now an ass!"

One basic rule of a protective tariff is that articles of luxury shall catch the burden of rates, and manufactured articles (their similitudes being produced here) should be taxed (the raw material entering into them being admitted almost free), to the end that our labor manufacturing such articles may be protected, and ~~protection~~ be increased.

production
A picture painted abroad is an entirely manufactured article. We make colors, canvas and frames here; more than ten thousand people are, directly and indirectly, employed in this work. To protect them we tax canvas 36 per cent., colors from 20 to 54 per cent., brushes 35 to 40 per cent., and frames 35 per cent. Thus all classes engaged in the production of artists' materials are protected, while the artist, who consumes these materials, pays these duties, and has no protection worth mentioning from a flood of artistic work from beyond seas, which can be produced cheaper than he can make it, and which finds a readier market than does his wares.

If we are to let in free a picture, why not its elements—colors, canvas, frame, etc.? We manufacture pictures here; why should not our laborers, artists, be protected? The answer made to this by free-traders is, "Art is universal, and should be free." Plates of clay are universal, and pots and pans as well, and more essential to cleanly personal habits and comforts of life than pictures; why are they not admitted free? Because the laborer who makes them cannot live at the same rate of wages here that he can abroad, and because he is more of a man here than abroad. These are reasons why these things should be taxed, even to exclusion. You flood England or France with American art—and they do our country with their art, especially

the French—and how many days would it be before an edict would go forth prohibiting its importation. No sickly sentimentality characterizes the policy of these two countries on material subjects. They protect their laboring and working people, no matter what the cost.

The free-trader in art says that no nation in Europe taxes art entering its boundaries. The answer to this is, And scarcely anything else which they can act as commission agents for. The British tariff was for many years a Chinese wall, as was the French, against hundreds of articles. Now her tariff is laid upon scarcely fifty articles. England is the trader of the world. British art does not sell on the continent, but is generally purchased in England. French art is scattered broadcast, because Paris, a show town, is one vast bazar, a warehouse where you get the perfection of everything—vice, art, virtue, and all other worldly articles; besides, the Government protects its shopkeepers and traders, laborers are secondary. The world is becoming enormously rich, and travelers are bagmen with wealth; families live on wheels. The art of Europe, except England, is marketed at Paris. France would be foolish to tax art, at least its entry into her country, when her art agents, working the wallets of travelers, skin them alive to the tune of 200, 300 or 400 per cent. ~~on their wages~~. Almost every visitor from abroad likes to take an art souvenir home, and in many cases such art! Italy, however, taxes art that leaves her borders. Great art houses in Paris have their branches in America, who deal in nothing but foreign art; neither buy nor handle American art. The French dealer frequently has scores of artists under contract, and force them like hothouse plants; squeeze the artist and the public as well.

No nation should feed its people by law or from the treasury, but it should make laws whereby the people can feed and maintain themselves.

If protection to labor and industries had not become a party question and an issue between two parties, one in favor of and the other necessarily against, for opposition sake, eight-tenths of our thinking citizens would favor the American system of protection. It is a more vital question than a mere party issue.

The present duty on foreign oil paintings and water-colors is 10 per cent. American artists abroad send their pictures in free. The duty should be increased to at least 40 per cent. The act of 1842 had it at 30 per cent.; the act of 1846, 20 per cent.; 1857, free; scarcely a picture came in under this. In 1861, present law, 10 per cent. The

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importation of art can be said to have really commenced after 1861. In 1881, paintings to the value of \$2,221,881 were imported. In 1882, \$2,550,682.91 worth, paying \$255,068.28 duties. These pictures were sold for double the price fixed in the Custom House, in most cases. The increase in the importation of foreign art in the year ending June 30, 1882, was \$328,000, about half of the total amount of sales by American artists for the year. The sales of American art in the year 1882 were much less than in 1881, so that as foreign art sales increase American art sales decrease. This is a serious matter to our 1800 artists, whose average incomes in 1882, on a basis of \$700,000 of art sold, were \$400 each. Skilled laborers in any other of the artistic trades can easily more than double this annual income.

Under the existing law an American artist residing abroad, sending a picture home in a frame, enters his picture free and the frame at 35 per cent. *ad valorem*, because the frame makers and gilders of America must be protected, being laborers. An artist "requires no protection; he does not labor." No work in art!

What legislative enactments should we have to aid and protect American art? Congress should provide that the present statute, admitting all works of art for instruction or for institutions free, should be enlarged so that any person having a private gallery, opened at stated times, say weekly, for view by art lovers and students, should have his pictures admitted free; but when they sell them for other purposes they should pay duties on them.

The law relating to foreign art, statuary or pictures entered for art or other exhibitions, should be extended so as to embrace one year's permission to remain without payment of duties, instead of as now, six months.

Under existing law if a statue for a tombstone or monument is entered as art it pays but 10 per cent. duty. If the importer is so unfortunate as to forget and enter it as a monument, it pays an *ad valorem* duty of 63.48 per cent. It is surprising the number of solemn-looking pieces of statuary that are now entered as art. The reason of this rule is that the man who makes and cuts a piece of statuary for a tombstone abroad is a laborer, and has his fellows in this country, who are also laborers in the same vineyard, and must be protected. When he makes and cuts the statue for art or ornamental purposes he continues a laborer, in fact, in Europe; but in America he becomes by this law an artist, not a laborer, and therefore needs no protection.

A duty of 40 per cent. *ad valorem*, to be laid upon all foreign water-colors, paintings and etchings, being about equal to the tax now collected on the various articles imported and used in the making of a picture, Why shall not America become the home of true art, the creator of new methods and results, and students beyond seas come here to worship at her shrine? Surely the day is not far distant, considering the rapidity with which they are bought and brought to this country, when students, desiring to study the best efforts of modern masters, French, Belgian, Spanish or Italian, will be forced to come to our private collections for examples.

The day may come when committees, in erecting a statue of our Washington, remembering our Wards, Storys, Millmores, Rodgers and Meades, and with faith in the future, forgetting the traditions of the past, will not go to Berlin for a statuary; neither shall individuals with vast fortunes solely acquired in America, seeing only fashion, employ a Cabanel or Bonnat, paying them fabulous sums to paint bedroom ceilings; nor will the authorities at Washington need to import Italians to fresco the rotunda of the Capitol.

We have become self-reliant in other things, why not in this? We have American individuality, instincts, pride, morals, customs, laws, home life—why not American art? If protection has brought up, as she has, to a strong manhood, by her fostering care, other artistic callings, why shall not she be invoked in the aid of the art which embraces the results of genius, reason and imagination—imagination to conceive and reason to test and apply—Labor, the written hand of minds and hearts that feel the presence of the beautiful and the inspiration of noble thoughts, who, walking in the paths of advanced light and feeling, nevertheless are laborers in a calling that gives pleasure, profit and satisfaction. These visible parts of all the elements of thought and nature are mighty aids to the bettering of the material condition of mankind.

THOMAS DONALDSON.

THE SOCIAL RECONSTRUCTION OF ENGLAND.

ON a former occasion¹ I gave a sketch of the social and political position in England at the present time, and briefly showed how the movement now going on below the surface has been led up to for the past hundred years. Such a sketch was necessarily rough and superficial. Nevertheless, it made plain that, in England, the richest European country, the mass of the workers are in a miserable condition of poverty and uncertainty, with no security for continuous employment, even at the low rate of wages they receive—badly fed, badly clothed, badly housed. As matters stand, indeed, the great body of the people are shut out from controlling their own political business, without even the satisfaction of knowing that the classes which monopolize the whole power in the State will be at the pains to care for the well-being of the wage slaves, to whose labor they are indebted for the luxury and indolence they enjoy. The wealthy lower orders are really quite indifferent to the problems of the society they control, so long as, at the expense of a little cheap philanthropy, they can bribe the workers not to change the system. What can you expect of men who have no wider range than the discounting of three months' bills, the balancing of yearly accounts, or the acquisition of gain by legalized fraud? The only hope of general and permanent improvement for the many is in a thorough social reorganization, conducted with vigor and intelligence by the producing class themselves. The vast wealth which is now piled up by their ceaseless exertions, the powerful machinery which increases the productiveness of labor and cheapens commodities, become, under existing economical conditions, the direct means for insuring the subjugation of the workers to those who own that wealth and control that machinery. The majority of Englishmen are literally enslaved for life to a class of their countrymen by their own production itself. This is true of all nations where the laborers work under the control of capital; but here in England there is a greater concentration of land, capital, and machinery in the hands of the few than elsewhere, consequently, the natural bent of the capitalist system is less checked or diverted by other causes. Until this carapace of monopolies, which crushes down our people, is owned by the State—which will then simply be the organized capacity of the workers, for

¹ North American Review, October, 1883.

the benefit of all—no great change for the better can be brought about in the lot of those who labor.

Now this, I dare say, will sound to many abstract, utopian, all in the air. I don't think it will when I have done. In America even, where there is much virgin soil still unoccupied, and rich lands to be purchased at what seem to us preposterously low prices, I can observe that every day the class struggle between the wage-earners and the capitalists is coming closer and threatens to be most bitter. With you, as with us, new questions are being forced forward, and people feel that there is something below more serious than the well-worn shibboleths of Republican and Democrat. What we English have to deal with is, at any rate, far more a social than a political problem. Who is "in" or who "out" matters not a straw to those who have learned to labor but cannot afford much longer to wait. Politics are, after all, merely the outcome of the method of production below, and he who stops to consider them alone gets a superficial view of modern society indeed. For the worst of it is that while we are talking events are moving. Yet another generation is growing up under the deplorable oppression which every man who feels for the misery of his fellows must hate and strive to remedy. Another succession of destitute workers—men, women, children of tender years—are even now stepping into the places of that food for capital which has just been shot into the pauper graveyard.

I need scarcely insist upon the difficulties we have to face. Thoughtful Americans can see them, perhaps, still more plainly than we who are close at hand. That our social arrangements and our political constitution are altogether behind the extraordinary development of our industry and commerce none can fail to understand. But assuredly there is no patent plaster for all economical diseases—there is no sovereign remedy for the people's evil which can be administered with confidence as an infallible cure. No. Society is the growth of endless ages of evolution and revolution, in the same way as man himself. We ourselves are, of course, the creatures of our surroundings and our education, from infancy to manhood.¹ The individual can to a small extent, as most think, modify his own character. Society can, to much greater extent, change the surroundings

¹ By education we are most misled.

We so believe, because we so were bred :

The priest continues what the nurse began ;

And thus the child imposes on the man.

—Dryden.

of the present and coming generations by fostering those elements which tend to bring about a rapid change. First, therefore, we must apprehend thoroughly the ills we suffer from and their causes in order that, as the existing mischiefs are swept away, we may offer no impediment to the growth of a new and better state of things from below.

What we have to-day, I repeat, is a class which owns all the means of production, including the land on the one side. Those who belong to this class escape, as a body, without any sort of manual labor, and live in luxury far in excess of what is beneficial even to them. On the other side is a class utterly destitute of the means of production. Those who belong to this class are, therefore, obliged to compete with one another, in order to gain the scantiest livelihood, and sell their force of labor for miserable wages to the capitalists, who "exploit" it. Hence increasing wealth and deepening poverty, production for profit and not for use, recurring industrial crises consequent upon the socialized system of production and the command by the individual of the whole process of exchange. Authority carried to its extreme limit in the factory, in the work-shop, in the mine or the farm: *laissez-faire* allowed full swing in almost every other department of civilized life. Thus the wealthy, who take care to maintain the strictest discipline where their own immediate gains are concerned, howl loudly, in concert with their hangers-on, that freedom of contract is being outraged when they in turn are called upon to submit to some sort of regulation in the interests of the mass of mankind. Between the two classes, the capitalists and the proletariat—the workers, that is, who are absolutely without means of subsistence, and dependent on their weekly wages for bread—there are several gradations; but the antagonism between those who employ and those who provide the force of labor which renders surplus value is becoming more pronounced every day. Events are manifestly tending toward the formation of a party of the people which shall be in opposition to Tory and Whig, Conservative, Liberal and Radical alike.¹

Within the past few months there has been increasing evidence of

¹Those who desire to comprehend thoroughly the problems of our existing civilization should study Dr. Karl Marx's masterly work on "Capital." It is no easy reading; but no man competent to form a judgment will, I venture to say, rise from its second or third perusal without the conviction that he has been in contact with one of the greatest thinkers of our own or of any other age. The name of Karl Marx is so well known as that of an agitator and revolutionist that his position as a philosopher is sometimes overlooked. Future generations will do fuller justice to his extraordinary capacity, industry and fearlessness than we of to-day.

this, and a few instances will not be out of place. The Trades-Union Congress, which recently met at Manchester, fully bore out my views with respect to the uselessness of trades-unionism to the rank and file of labor, so far as the original programme or the main discussions at the meeting are considered. Such political proposals as were formulated might very well have been laid down, and I dare say were laid down, by the middle-class Liberal caucus which has its headquarters at Birmingham. From all sides the capitalist press poured forth its congratulations to the managers upon their "moderation." The secretary was accorded an unanimous vote of confidence, because he had given place to young Lord Lymington on a bill before the House of Commons dealing with a matter which was supposed specially to concern the workers. A delegate who had gone to Manchester with the express purpose of proposing a vote in favor of manhood suffrage found so little encouragement among his fellow delegates that he absolutely thought it better not to bring his motion forward this year. Altogether anything but a democratic assembly one must say. Yet here, in this atmosphere of doubt, feebleness and trimming, a great step in advance was made. When it was suggested by a delegate that an examination should be made into the titles of the handful of gentlemen who have taken possession of the soil of England, Mr. H. W. Rowland, secretary to the London Cabmen's Society, a well-known trade-unionist, but also a member of the Democratic Federation, boldly brought forward a resolution to the effect that no measure short of nationalization of the land could be accepted as a settlement by the working-classes of England. This measure is naturally opposed, both by landlords who see in it the utter destruction of their wealth and territorial influence, and by capitalists who, secretly aspiring to be land-owners, support what they call "free trade in land." Nevertheless, and in spite of the efforts of some of the principal organizers of the congress, the motion was carried by forty-nine votes to twenty-nine.¹

¹ Three years ago, when Mr. Adam Weiler, the London joiner, brought forward a similar resolution, he could not even find a seconder. So that democratic ideas do move in these days, the ridicule and sarcasm of the capitalist press notwithstanding. I may add that the collectivist view, as opposed to peasant-proprietorship, is spreading through the Highlands of Scotland as the only thorough remedy for the existing land system. It was in the Highlands that the Sutherland clearances and other similar infamous evictions were perpetrated. I scarcely like to tell American readers that one of their countrymen—Mr. Winans, the contractor for Russian railways—is at present trying to force the owner of an estate he has rented in Scotland to evict all the crofters, as they interfere with his proposed deer-

Now, of course, I am well aware that nationalization of the land by itself and without a complete reorganization of production in all departments would benefit the workers little, if at all. Still, it is no small thing that the idea of the possession of the land of England—land in country and land in towns, mines, parks, mountains, moors—should be held by the people, for the people collectively, to be used and developed as they see fit to ordain—it is no small matter, I say, that such a reform as this should find acceptance at a wavering congress of “the aristocracy of labor” in place of the middle-class tinkering for individual advantage which has hitherto been forced upon them. For such a vote means that at last the people of England are awaking to the truth that landlords and capitalists together have robbed them of their heritage of freedom and well-being; means, too, that no mere vestry plans for bolstering up the old cut-throat individualism will much longer blind the workers to their true interests as a class. “Each for himself, and the devil take the hindmost,” is a splendid motto for the employing class. For the wage-earners it means a never-ending and hopeless struggle to keep out of the slough of pauperism and crime.

If, however, the trade-unionists have adopted nationalization of the land, the colliers are again claiming to limit production and to curtail the hours of labor to eight a day. The determination to lessen the output of coal in the Yorkshire coal-field, which is really the chief point in dispute between men and masters to-day, is in every way more important than any struggle about wages; for it involves not merely the right to obtain increased pay, but the right to control production itself. Here, at once, the whole economical difficulty is placed before us, if we choose to work it out. Grant the miners the right to say how much coal shall or shall not be brought to the pit’s mouth within a given period, and clearly the puddlers have an equal right to determine how much ore shall go into the smelting-furnace, the iron-workers the right to fix how many bars or plates shall leave the forge, the cotton-spinners, as they have also contended, how much yarn shall be delivered per week, and so on through the whole long series of manufacturing operations. Well, it may be asked, why should not those who make all the wealth decide as to the amount of any special form of it they choose to expend their labor upon? I say nothing to the contrary. Far from it, I desire to see forest. The owner, more humane, offers to pay a fine to the great Winans, and leave the crofters the holdings which are theirs by use and custom. But the capitalist Shylock clamors for his pound of flesh, and will probably get it.

the laborers acting in concert and producing for the general good. But that any particular knot of producers should be allowed the power to limit their own production without agreement or concert with their fellows in other branches of trade would manifestly but confound still further the present economical confusion. In this case again, therefore, the workers will be slowly driven to look upon the interests of their class—skilled and unskilled laborers alike—as a whole, seeing that the action of one portion by themselves may disorganize the entire fabric as completely as the strike of one section of workers may compel a whole factory to stand idle. A few years ago, the strike of the unskilled dock-laborers at Liverpool caused a complete congestion of trade of that great port for three weeks, and a threatened withdrawal of engine-drivers and stokers would practically suspend, for a time at least, all rapid communication. In this complicated society of ours the whole is, as it were, at the mercy of its parts; but let those parts once be thoroughly combined on an intelligent comprehension of their own joint business, and we have opened up a new industrial era to mankind.

While such ideas are abroad, and such partial combinations are going on among the workers in active employment, a little cloud has arisen in another quarter. How to deal with paupers has always been a great difficulty. Clearly, it is hard that men or women who have fallen into poverty from no fault of their own should be treated as criminals, set to pick oakum, forced to do disgusting or useless tasks, merely to keep a few from coming for the scanty workhouse food out of sheer idleness. This has been the system hitherto. Now another is growing up under the control of well-intentioned men, who evidently do not see, or do not care for, either the immediate or ultimate result of their policy. In several workhouses the paupers are now being employed on the production of useful articles, not merely for themselves or their fellow-inmates, but for sale in the open market, the paupers who do the work receiving a certain proportion of the money obtained, in addition to their keep. Now this is, of course, a great boon to the poor people who have been driven to accept charity, but are glad to find that they are not wholly useless to mankind. The change in the appearance of the men and women thus employed, as compared to what they were with nothing but hopelessness and a pauper's grave before them, is described as surprising. Excellent every way, no doubt. But now look at this admirable experiment from the outside. The goods which these

State-supported workers produce have to be sold in the open market. Whatever they fetch over and above the mere cost of the raw material and carriage is so much clear gain to the rate-payers, who have to pay for the maintenance of the paupers in any case. Consequently, the workhouse goods can always be sold cheap. How, then, does it fare with men or women engaged in the same business who have to pay rent, get food, and provide themselves with clothing, out of the profits of their own hand-made wares? Very badly, as I can testify. More than one trade has been completely ruined by this workhouse competition, and many of those engaged in it driven into the ranks of the neediest class themselves. Such is the irony of our present social system. Not a bit worse, however, than when the introduction of a new machine, which should result in increased wealth for all, fills a capitalist's pockets, and sends hundreds, perhaps thousands, of skilled workmen out workless on the labor market as unskilled hands. The very people who rightly contend that this organization of labor in the workhouse is far better than the shameful criminal treatment hitherto in vogue, shriek Socialism, Communism, and begin to call names when it is suggested that labor and production need organization even more *outside* the workhouse, and that were such organization carried out on a thoroughly sound basis, not only able-bodied pauperism, but able-bodied sybaritism might be done away. But this competition now set on foot, if, as is quite possible, it is carried into the domain of machine industry, will compel the working-classes to insist upon some general understanding with regard to rate-supported laborers, and thus, perhaps, lead by another route to the same great end of social coöperation. Meanwhile, the field of State employment is extending every day, though, as in the post office, the lowest possible wages are paid, and a profit is secured wherever attainable.

What, however, are the transition-remedies, as we may call them, which may serve to help on our society to a wider and nobler development? Extension of the suffrage to the whole adult population—the direct control by the electors of the entire political system—the abolition of the monarchy and the House of Lords—the prevention of bribery and log-rolling—these and similar reforms, no matter how thorough, do but give the machinery whereby the people of England may at length become masters in their own house. Mere forms of government, nevertheless, afford no guarantee for social progress. France has universal suffrage, and the ancient nobility has long

been overthrown. Yet the *plébiscite* established the stock-jobbing Second Empire, and now the French enjoy a republicanised empire, where the right of the workers to combine is put down with a high hand, as in the case of the strike of the miners at Grand, Combe and elsewhere. In Germany universal suffrage gives the people a sultan, a grand vizier, and an army of janissaries—what else are the Emperor, Prince Bismarck, and the Junkerdom at their command?—while the chief cities of the empire are in a state of siege. In free Switzerland, also, the middle-class dominate completely under republican forms. In America itself the pressure of capitalist “rings,” the undue power exercised by plutocrats who but yesterday were unknown men, and the insidious corruption which creeps through the whole body politic, threatens grave danger to the great Republic of the West. There is no security, then, for the social improvement of the people at large in any political forms, unless those who use them are imbued beforehand with just ideas, and are determined to exercise their influence for the general benefit. Necessary as it is to sweep away the monopoly of Parliament, which now keeps the working-classes from having any control, it is even more necessary that this should be done with a definite idea of policy for the future.

Here, then, are some of the measures which would at least tend to secure for the rising generation better conditions of existence and a clearer view of their own future course under our present capitalist domination :

First—Free education, compulsory upon all, together with the provision of at least one good meal a day for the children attending the public free schools.¹

Second—The compulsory erection by municipalities and county boards of healthy, well-built dwellings, in proportion to the numbers of the working population, with gardens or playgrounds in the immediate neighborhood—such dwellings to be let at a price to cover the cost of construction alone.

Third—Eight hours or less to be established as the regular working-

¹ There are few stories more disgraceful in the long infamous record of class greed and class robbery than the seizure by the upper and middle classes of the endowments given by wealthy men in the past to insure free education for the poor. The children of these classes have quite ousted the poor from the endowed schools, and there seems little hope of any redress whatever by peaceable and legal means. The classes which stand out against free education do not hesitate for a moment to grasp free education for themselves whenever and wherever they can do so at the expense of others. Even the universities, which should belong to the country at large, have been turned into middle-class establishments. Here again, who is going to look out for the rights of the people—save the people themselves?

day in all factories, mines and workshops, the labor of women and children being strictly controlled. The same regulation to apply to all other employés where continuous labor is exacted.

Fourth—All squares or private grounds in the neighborhood of great cities to be held at the disposal of the community, and thrown open for their benefit.

Fifth—That the railway monopoly should be at once put an end to, either with or without compensation, as may seem advisable, the railways thus acquired being used to give the greatest possible advantages in cheap transport to all classes of the community.

Such proposals would seem to need little advocacy. Yet not a single one of them is now before our parliamentary wiseacres, nor do the working-classes appear inclined to force them upon their representatives, so hopeless do they seem.

Yet who can doubt that compulsory education, now enforced by many, if not most, of the school boards, should be free? It is to the advantage of all that none should grow up ignorant. Though education by itself does but provide better "hands" for the capitalist, and, as we see in China, may not change social conditions, such education as can now be given, coupled with the general advance in all branches of social science around, could scarcely fail to increase the knowledge of the workers, and at the same time to strengthen their power of combination. Noble Robert Owen, who, early in this century, showed us the right path toward education and industrial organization for the young, never dissociated his educational system from good food, constant pleasure, or, later, from physical industry.¹ The authority which he

¹ Robert Owen was the father of the factory acts, the most beneficent measures ever carried in England. Yet he was himself one of the largest and most successful manufacturers. He was also the leader of modern utopian socialism. Needless to say that, when he tried to develop his theories on a large scale, he was ridiculed and boycotted. A philanthropist, he might be: a socialist—oh, horror! Here is a passage from one of the writings of this truly great man:

"Since the discovery of the enormous, the incalculable, power to supersede manual labor, to enable the human race to create wealth by the aid of the sciences, it has been a gross mistake of the political economists to make humanity into slaves to science instead of making, as nature intends, sciences to be the slaves and servants of humanity. And this sacrificing of human beings with such exquisite physical, intellectual, moral, spiritual and practical organs, faculties and powers, so wondrously combined in each individual, to pins, needles, thread, tape, etc., and to all such inanimate materials, exhibits at once the most gross ignorance of the nature and true value of humanity, and of the principles and practices required to form a prosperous, rational and happy state of society, or the true existence of man upon earth."

In another place he asks where the increased wealth produced by his two thousand five hundred work-people—equal to the amount which could have been produced by six hundred thousand a century before—went to. They did not get it; that he saw clearly.

exercised over both parents and children at New Lanark, though at first met by opposition, was in a few years recognized by the people themselves as the greatest boon. Similar authority must be now used on an extended scale for the benefit of the children of the people whose parents too often, from poverty or other causes, neglect the welfare of their offspring in their most important years of growth. Good food in childhood is even more necessary than good education. Nothing is more certain, also, than that children brought up to work under favorable conditions do not revert to idleness if they can possibly help it. Unfortunately, here comes in the miserable jobbery of our middle-class system. My friend, Miss Helen Taylor, in conjunction with Mrs. Surr and others, not long ago exposed the cruelty and the robbery of food which went on in certain industrial schools. If, however, the workers once understand that the schools are *their* schools, that they really pay by their labor for the food and education provided, they will soon find the means to have their children properly taken care of and those who neglect them punished. Already the board schools have produced a great effect, and the new generation of workers, imperfect as their education still is, will be able to take quite a different view of life from their predecessors. Health and education together will give a power of resistance which can scarcely fail to be fatal to the class injustice they suffer from.

But, secondly, what is the use of giving education unless the home conditions of the people are changed? Here is a point of the gravest moment. According to evidence collected by the trade-unions, the working-classes pay from one-fourth to one-third of their small wages in the shape of rent. They are liable to be sold out of all they possess and evicted into the street if behindhand with payment, and they absolutely have not, as in the United States, any lien on their tools to enable them to work, or on the results of their own labors for what may be due to them in wages. The lodging of the poor in our great cities is, as I have observed before, horribly bad, and very dear. True, artisans' dwellings acts have been passed and philanthropists have tried to do something. But the acts are under the management of town councilors, aldermen and the rest of the middle-class functionaries, who, elected as they are, never for a moment consider that the health and well-being of the people constitute the real strength of the nation; and the philanthropists in this direction, as in others, are really of very small account in comparison with the work that has to be done. As a general result, therefore, the overcrowding is increasing

in all our great centers of industry, while the working-classes who must live close to their work have to pay exorbitant rents to the very vestrymen and employers who own the tumble-down dwellings and manage the parish. What likelihood is there that those who make large profits out of bad, unsanitary house-property will set to work in earnest to bring sound, wholesome dwellings into competition at low rents with their high-priced ramshackle hovels? What factory-capitalist will forego the advantage of being able to evict his work-people from the cottages he owns, should they dare to strike, unless some more powerful body undertakes to do the business for the good of all? So things drag on. Improvement for the upper and middle class: yet more overcrowding, degradation and misery for the producers of wealth. Compulsion, nothing but compulsion, can induce our monopolists to act. And yet the so-called working-class leaders advise their misguided followers to dissociate the trade interests of their class from any political action. We all know that a well-built, wholesome dwelling is absolutely essential to health and decency. How can a woman beget healthy children surrounded by such sights and sounds and smells as are to be found in the courts and alleys of our great industrial centers? How can the children themselves become valuable citizens under such conditions? In the country similar compulsion is needed from the same causes. There is more air and perhaps more water, but the sanitary arrangements are utterly abominable in many cases, and the overcrowding goes on there, too. Nevertheless, I repeat, the idea of compulsion revolts the middle-class mind, and the vested-interest-mongers so far have had it all their own way.¹

But if free education and the provision of food for children, the compulsory construction of sound dwellings which shall be rented at cost, savors of socialism, what is to be said of an eight-hours-act? Sir Stafford Northcote, the leader of the Conservative party, and Mr. Henry Fawcett, the principal middle-class economist and Postmaster-General as well as a Radical, have both recently declared that "freedom of contract" is too sacred to be tampered with. Fancy freedom

¹ It is nothing short of exasperating to read through the answers of witnesses and the report of the recent committee on artisans' dwellings. All the evidence goes to show that a thorough change of system is needed, but no suggestion do we find to the effect that such a change should at once be made. Marvelous indeed is the patience of our people, when crowded together in attics and cellars; they can see the west end of London almost deserted for at least three months in the year, and could learn easily that, cubic space for cubic space, their dens are more highly rented than the most fashionably-placed houses of the well-to-do. Supply and demand, how good is it.

of contract between a pauper and a plutocrat; between starving women and children and factory lords and "sweaters"! The thing is absurd. Our system of contract actually excludes freedom, and well our capitalists know it. Yet we have made some progress in the restriction of this illusory freedom, and neither Conservative statesman nor Liberal economist dare bring in a bill to repeal those factory acts which happily interfered with the excessive overwork of women and children for the profit of the capitalist. Limit the hours still further to eight hours a day, would not the women and children be the better for it? Yet if women and children are to work but eight hours a day the work of the men stops, so completely is the whole of the great machine-industry dovetailed together. Who will contend that eight hours' work a day in the factory, in the mine, in the workshop, in the sweater's den, is not enough for any man or woman? A horse can barely work eight hours a day on the average of his strength. But the difficulty is to prevent even the existing acts from being overridden. There are not nearly enough factory inspectors to keep the capitalist class within the limits of the law. But when Sir William Harcourt, the Home Secretary, was asked not long since to appoint some more, he replied that any addition to the number would be too expensive. Once more the money interests of the few outweigh, with both the existing parties, the life-and-death interests of the many.

To assume that railways and railway directors will ever be controlled by the existing Parliament would seem to all who know the strength of the railway interest in the House of Commons a foolish assumption, indeed. Our railway magnates are almost as powerful as your Jay Goulds and Vanderbilts. They work their men such long hours in the signal-boxes, on the engines and at the points, that accidents frequently occur from this cause alone. The injurious monopolies they have been granted by landlords and capitalists are supposed by them to be permanently valid against the whole country. So long as debenture-holders and stockholders are satisfied, what have the public to do with their business? Such is the tone of the railway directors; and Parliament, as at present constituted, is merely a huge board for the protection of vested interests.

The opening of squares and private parks to the inhabitants of large cities is a much smaller matter than the others. But here again the antagonism of class interests, the sharp social separation, make themselves felt. Though the children of the poor have nowhere but the

crowded, airless thoroughfare to play in, what right have they to intrude on the premises of the wealthy? A few running-over cases weekly cannot possibly be pleaded as an excuse for bringing these unwashed youngsters between the wind and our gentility. Well may nationalization of the land, whether with or without compensation, seem downright robbery to people who resolutely oppose a simple reform like this.

Thus, even with regard to such measures as those mentioned above, which only tend to improve the health, morals, education and general welfare of the nation as a whole, we are met at once with a dead, dogged, brutal resistance by the classes which live on the labors of others—a resistance, as I believe, only to be overcome by force, or the threat of force, on the part of the wage-earning class. Justice has too long been appealed for in vain. Yet not one of these measures goes to the root of the social difficulty of the time. They are all, as I have called them, mere transition-remedies for some portion of the misery which now we see. Can we wonder, then, that daily, in England, the numbers of those are increasing who hold that what we need is a thorough, organized movement for the overthrow of a social system which enables the rich to obstruct every reform that can really improve the lot of the poor? Is it any matter for astonishment that when admittedly “practical” measures are postponed *sine die*, those who suffer begin to consider what effect a thorough theoretical reconstruction might have on their condition? Perhaps, after all, this is one of the cases in which the whole is more easy to get than the half.

Some there are, however, who contend that the workers have themselves to thank for the hopeless state in which too many of them are sunk. Their theory is that the poverty of the great majority, in comparison with the vast wealth around them, is due to drunkenness, extravagance, want of thrift. Who can deny that drunkenness exists? But to what is it due? When I look around me at the social conditions in which the workers live, when I take account of the fact that there are so few opportunities afforded them for healthful pleasure, when I note that the public-houses—there are far too many of them, no doubt—are the only places where workmen can conveniently meet their fellows, I wonder that, as a whole, the very poor should be as temperate, as saving, as quiet, as contented, as they are. Misery drives to gin, as well as gin to misery. And what are the figures? What is there to show that the upper, the middle, the shop-keeping

class, do not drink quite as freely, and more expensive drinks in proportion to their means, than those who are directly laboring with their hands? There is no trustworthy evidence on this point at all. But the temperance cry—good enough in itself, to a certain length, at any rate, for all classes—serves the purpose of the capitalist class to divert attention from the real causes of the whole social depression which engenders the drunkenness, the misery, the pauperism that they so hypocritically deplore.

Take a hundred children at random from the middle class, professedly belonging to stanch members of the Blue Ribbon or Salvation Army, and plant them from infancy in the miserable dwellings which are inhabited by the very poor; let them imbibe a little gin with their earliest pap, hear oaths from their childhood, and witness scenes of vice, or even crime, as they enter on mature years. Will not a large percentage of them turn out drunken, dissolute and worthless, be their parentage never so respectable, the sobriety of their whole kith and kin beyond dispute? Of course we know it would be so, and education might do but little to mitigate the effect of this early training. Reverse the process, and take a hundred babes of the poor into such households as might be readily found for them, take care that they were surrounded by kindness, purity and plenty of food for the asking, is it not certain that but a small percentage would have a tendency toward what is bad, until driven, perhaps, to desperation at a later period by the long, hopeless resistance to economical pressure which forces them into the ranks of the needy and desperate? To lecture and denounce the drunken and extravagant, while maintaining as beneficent the system which is opposed to the best interests of mankind at large, is to mistake the effect for the cause, is to try to perpetuate the very mischiefs which we are endeavoring to uproot. Much of the very drunkenness we witness is due to the vile, adulterated drinks which are sold. But the brewers and gin-distillers are the pillars of the State. Philanthropists and members of Parliament, how shall they be effectively assailed? The publicans whom they employ but follow humbly in their wake. The truth is, that though it may be advisable to restrain the sale of intoxicating liquors (and the fanatics of temperance are in their way doing some good), the social arrangements themselves are really in fault, and drunkenness, like vagrancy, is due to social blundering.

Thrift, again, though good in itself, does but strengthen the domination of the capitalists under our present system; for the sav-

ings of the workmen go into the general banking business, and the workers, for the sake of a trifling pecuniary interest, lose sight of the far more important interests of their class as a whole. The same objection applies to coöperation among knots of workers. Those who take shares earn a profit which they divide, thus becoming at once not mere benefactors of themselves and their families, but copartners with the men who live upon the unpaid labor of their class. None can regret the defects of the workers more than those who are striving for a complete reorganization of society. If they were all temperate, thrifty, ready to combine, democrats would stand a far better chance of organizing side by side with them the great class struggle of the near future to certain and rapid victory for the laborers. The hungry and the drunken, the dissipated and the brutal, may make riots and rebellions, but a class revolution, with a definite constructive programme, is far beyond their grasp. For this reason, if for no other, any attempt which may be made to reduce the standard of comfort should be vigorously resisted.

Before, however, the people as a whole can thoroughly organize their national production, or make common cause with their class in other countries, they must clearly understand, in some degree at least, the history of the economical development which has brought about their present condition. This is, unluckily, no easy matter even for the educated. Middle-class economists have succeeded in so thoroughly confusing men's minds that it needs some effort to throw aside their jargon, and to look upon events as they really have happened and do now take place. According to them our present form of production and exchange has been practically the same throughout the ages, and society at all times may be measured by the same standard. The difference, according to them, is in size only, not in kind or degree. This is the exact reverse of the truth, though doubtless our whole civilization is the result of one long, continuous development, and portions of our present growth may be traced into remote antiquity, side by side with very different social conditions—just as our great machine-industries are contemporaneous with the miserable Australian nomad, the American Red Indian, with village communities in Asia, or feudalism in Japan. Historically viewed, nevertheless, our existing system differs fundamentally from any which has gone before.

England, for instance, during the Middle Ages presented a very different appearance from the England which now we see. That age

of chivalry about which Burke grew so eloquent, when it served his turn to denounce the principles he had previously championed, formed a strange contrast to our society of to-day. But in no respect was the contrast greater than in the manner in which what was needed for the purposes of every-day life was produced and exchanged. The relations between the various grades in that feudal society and the individuals who composed them were purely personal. Payments were made in kind, service was rendered on one side or the other in accordance with personal obligation; production was carried on, in the first instance at any rate, for individual use. A certain proportion of the crops was surrendered by the agriculturists, not as rent, but as dues; not as a rate, but as a tithe to be applied to purposes and arrangements which were well understood by both parties. The nobles owed the same allegiance to their superior, or monarch, that their own people owed to them. There were plenty of grievances, and we had risings in England similar to those of the Jacquerie in France, though hitherto our historians have been at little pains to work out the true character and details of these movements.

In the fifteenth century villenage and serfdom had come to an end, and the soil of England was in the hands of the people themselves, subject only to the recognized dues or regular service in the field. The nobles were no more owners of the land than the people or the monarch. Each class had its rights, subject to the performance of certain duties, which were, as already said, purely of a personal character. At this time the instruments of agricultural labor or of manufacture were poor and rude, suited to the wants of the isolated workers. The yeomen and life-holders produced for the needs of their wives, children, families, and hinds. Those hinds were themselves possessed of plots of ground. Day-laborers formed a small, an unimportant, part of the population. The cattle, sheep, pigs, geese, etc., all that made up the agriculturist's wealth, represented to him not goods which he should sell and make a profit from, but actual substance which enabled him and his to live in comfort or in rude luxury. The women, the wife, the daughters, the hand-maidens, spun the wool of the farm, or attempted rude embroidery in the same way for use or personal adornment; exchange was not thought of until the wants of those around were satisfied, and only the superfluity was actually brought to market. Everybody, or almost everybody, in the poorer class owned his own means of production, and the spinning-wheel of the matron, the potter's wheel, the rough smithy, the still rougher

cobbler's shop, formed the manufacturing portion of this rural community. Production for general exchange was almost unknown, each neighborhood supplying most of its own wants. In the towns exchange had already become more common, but it was in no sense an exclusive business here as it had already become in Venice or Genoa, where also the first modern manufacture in its more extended sense found a footing.

This happy state of things for the many—happy it was according to all old chroniclers—could not be of long duration. Already business for profit had obtained a footing, and goods were being produced with a view to their exchange. The middle-class had begun to gain ground, and soon became strong enough to obtain those laws against laborers some of which have lasted to our own day. Meanwhile, the Wars of the Roses impoverished the nobility, leading them not only to discharge their retainers, but also to uproot from the soil those who had a better right to it than they, in order that wool might be grown for the increasing Flanders market. Throughout the sixteenth and seventeenth centuries the process of tearing off the hold of Englishmen from their own land went on, while the needy peasants who were thus turned loose on to the highways were forced by law into the control of the middle-class, now possessed of the means of production and developing the system of small workshop manufacture. From this to the preponderance of the capitalist farmer, growing crops and cattle for profit on the land, and of the capitalist over the whole domain of production and exchange, was an inevitable transition. The landlord lost all sense of personal connection with his people or their lands. He became merely a sleeping partner with the farmer, the coal capitalist, the factory-owner in the exploitation of the agricultural laborer, the miner, the factory-hand. Thenceforward the capitalist has been the master of our modern society, production has been carried on solely with a view to profit by exchange, the workers have been regarded simply as "hands," to be used to the greatest possible extent for the enrichment of the capitalist. He, therefore, who, in England at any rate, strikes merely at the landlords or the land monopolists tilts at windmills.¹ The private ownership of land

¹ In Ireland, of course, circumstances are different. There the landlord has in most cases rack-rented the cotters direct. But peasant-proprietary under present conditions would only strengthen the gombeen men and small money-lenders. All over Europe and in India the money-lender, in the shape of the Jew—the owner or the mortgage-bank—is pressing upon the agriculturist. Even where the land is "nationalized," as over the greater part of India, the same blood-sucking capitalism goes on. The crops are mortgaged instead of

was as inevitable a portion of the evolution as the private ownership of the other means of production up to and including the most complete improved machinery, whether for agriculture or manufacture. Control capital, and landlordism falls of itself; break down landlordism, capital may be yet more powerful.

The effect of this development has necessarily been to render the workers more and more the slaves of their own production. First came the coöperative workshop where the individual workman did his bit in forming a complete article, only useful according to the social conditions of the times when put together. This is the system which Adam Smith has so glorified, though its result manifestly is to make the worker "a portion of a machine of which the parts are men." The employer sat by and took the product of the labor, for which he paid only a small proportion of its real social value. Here, at once, was a complete change of method. In place of the isolated worker owning his own means of production, and owning also the product when complete, we have the socialized worker who owns nothing but his bare force of labor which is used in concert with others; the entire product belonging to the employer. As the co-operation extended machines came in. These, too, naturally passed into the possession of the capitalist. Steam motive-power followed the same direction.¹ The workers now no longer serve or help one another as individuals; they themselves simply serve the machine through which they embody their force of labor in the commodity produced.

Now suppose a new machine invented which lessens the amount of labor, and, therefore, cheapens the goods. How does it work under our present system. The capitalist competes by reducing prices. His object is to undersell his fellows as quickly as possible, but always at a profit to himself. To do this he must get a wider market and sell cheap too. Consequently goods are produced at high pressure until there comes a glut, and the industrial army of reserve is increased by the forced idleness of men who cannot sell their labor, owing to the

the land. Thus, as I say above, nationalization of the land can only be useful to the people as a portion of a complete collective system of production which will include capital, communication, credit, and machinery.

¹ The history of the extraordinary industrial development of England, from Hargreaves' invention of the spinning jenny in 1764 onwards, has yet to be fully written. Its effect upon the physical condition of the working classes may be studied in the terrible evidence and reports of the various commissions as well as in those of the health officers and factory inspectors.

introduction of new machines and the refusal of capital to produce except at a profit. But there can be no profit where there is a glut. Thence an industrial crisis, owing to the fact that the socialized method of production revolts against the individual system of exchange, to the injury of all.

"Then follows a partial recognition of the social character of production by the capitalists themselves; the great engines of production, and the great highways of the country are taken possession of, first by companies with many shareholders, then by the State."¹

Thus, as the feudal nobility lost power by the very methods they used to strengthen and enrich themselves, so the middle-class is being in turn displaced by salaried officials, and in the next stage of the organization of production will themselves be useless.

What a waste of strength, then, it is for the workers to expend their funds in maintaining men on strike for higher wages. Why, it is the wages system itself that crushes them, and never will they, as a class, know what true freedom and real independence is until they break it down. Let the workers spend what money they can afford in obtaining control of political power for their class, and use this power, when obtained, to take possession of the entire means of production. This would benefit, not themselves alone, but even the idlers and the vicious who now live upon their labor.

Can anything possibly be worse than the existing system? We have seen its effects upon the workers in the country where capital has most power. For them any change must be beneficial. Necessary as this stage may be in the process of human development, capital contrives to exact more than labor and to brutify the lowest grades of the population more completely than any method of forced work known. But what is the result to the soil, to our cities, to our general surroundings? England is now supplied with food and raw material from other countries; draws from them interest on capital lent. In America wheat center after wheat center is worked to sterility while we sweep the phosphates down into the sea which might fertilize our impoverished lands. In Australia the like process is going on, to the permanent injury of the Continent. In India—but the ruin of India by our capitalist system is an awful lesson by itself. Meanwhile, everywhere forests which perhaps can never be replaced are cut down for fuel, for sleepers, for timbering mines, regardless of the mischief wrought to the climate and the next generation. Every-

¹F. Engels.

where the same rampant individualism, utterly indifferent to the general good; everywhere the same furious greed for gain, reckless of what may befall. And what of our cities? Men of artistic training see no hope of great art under our present social arrangements. Such a man as Mr. William Morris, the poet, is driven to look below for some remedy for the hideousness thrust upon him, as democrats are driven to look below for the means of overthrowing the social miseries due to our system of production. Monstrous factories and squalid hovels, blank, featureless houses, and ghastly advertisements, elevated railroads and a net-work of telegraph poles, such are the decorations of our cities; one long vista of almost irredeemable ugliness, in which each can vie with his neighbor in parading his individuality in order that he may sell at a profit. Scamped buildings, adulteration in every form, cheapness and nastiness and ugliness in every direction.¹ And all for what? All in order that the few may live in luxury and the many exist as we know. The loss to society by the mere cramping of human intelligence cannot be estimated. What sense of beauty, what exquisite artistic faculties, what power of invention may not lie dormant in millions who may now have not a moment left free from grinding and degrading toil? The greatest discoveries and the noblest inventions have never been made for gain. A Faraday, a Simpson, a Newton scorns to trade upon the welfare of the mass of mankind. How many a great idea, turned to account in hard cash by the capitalist, has been, as it is, stolen from the poor enthusiast who worked for something higher than mere greed?

But whether we like it or not, whether we try to help it on or not, whether we shall live to see its victory or not, the movement of the

1 "Why are cotton, potatoes and gin the pivots of bourgeois society? Because they need least labor to provide them, and they are consequently at the lowest price.

"Why does the minimum price decide the maximum consumption? Is it because of the absolute utility of these articles, of their intrinsic utility, of their utility so far as they answer in the most useful manner to the needs of the workman as man and not of the man as workman?

"No, it is because, in a society founded on *misery*, the most *miserable* products have the fatal prerogative of serving for the use of the greatest number.

"To say now that because things the least costly are most used therefore they must be of greatest utility, is to state that the wide-spread use of gin, in consequence of the small cost of production, is the conclusive proof of its usefulness; it is to declare the potato to be as nourishing to the working classes as meat; it is to accept the existing state of things.

"In the society of the future, when the antagonism of classes has ceased, when there are no more classes, use will no longer be determined by the minimum time of production; but the time of production devoted to an article will be determined by its utility."—*Karl Marx, Misère de la Philosophie*, p. 41.

people goes steadily on all the same.¹ The antagonism of classes is becoming too serious to be concealed any longer. In England, where the causes of hostility are deepest, the attempt at reorganization must first be made. This is the revolution which, sooner or later, we have all of us to face. That it may be brought about in a peaceful and orderly manner every Englishman must hope; that the dominant classes will be wise in time is the best that can be desired for them. But the time is fast approaching when every man must take his side, and strive for slavery with the landlord and the capitalist, or for freedom with the people.

H. M. HYNDMAN.

ADMISSION OF WOMEN TO UNIVERSITIES.

HENCEFORTH the admission of women to universities must be discussed in the light of experience. There is a great body of men and women who hold identical degrees earned by pursuing together identical courses of study in the same class-rooms, lecture-halls and libraries. Wrought into the character of these men and women are the good and the evil of coeducation; and by their testimony and their lives must that system be judged. The admission of women to universities means coeducation. There is no university for women. Vassar, Smith, Wellesley and the smaller colleges for women will not develop into universities, because the State in which each of these colleges is situated possesses already one university, while the tendency in our own country, as well as in Germany and England, has always been toward the development of few universities among

¹ Vous triompherez des tempêtes
 Où notre courage expira ;
 C'est en éclatant sur nos têtes
 Que la foudre vous éclaira.
 Si le Dieu qui vous aime
 Crut devoir nous punir
 Pour vous sa main resséme
 Les champs de l'avenir.

It was this idea of Béranger's I tried to express at one of our great anti-coercion meetings in Hyde Park: "And so when we, the small men of our time, pass unregarded to the rest of the tomb, this holy consolation shall close our eyelids in their never-ending sleep—that though our names be forgotten our memories will be ever green in the work that we have done and the eternal justice we have striven for."

many colleges; the university supplying post graduate instruction to students from our colleges, and their German equivalents the gymnasias. Moreover, experience goes to show that women are best fitted for professional association with men by collegiate training with men; and the number of women who undergo university training for the sake of culture, apart from professional aspirations, is too small to justify the foundation of a university for women. The granting of university education to women means, then, their entrance into the universities now existing; it means the arrangement now established at Cornell and the universities at Boston, Chicago, Michigan, California, London and Zurich.

The question of coeducation, though a practical one, was formerly discussed, of necessity, chiefly on *à priori* grounds. Certain phases of it have been subjected to practical tests, and its advocates and its opponents are enabled to see, in the light of experience, the effect of coeducation upon the health of women and the standard of collegiate scholarship. The fundamental question—the goal to be attained in the education of women—remains, however, still under discussion by the *à priori* method of reasoning. The old question—for what shall women be educated?—asked and answered so often as to become a burden in the land, is not yet settled for all minds; and the uncertainty concerning it unhappily deprives many women of a culture for which they hunger. The two views of womanhood which have kept the question an open one are irreconcilable; the one affirming that women are wholly, though indefinitely, different from men, possessing wholly different needs; the other claiming that women are human beings whose needs of intellect and character, being human, are therefore essentially the same as the needs of men. They who hold this view believe that in inherent manhood and womanhood the creator has made sufficient provision for maintaining all that is valuable in the “difference of intellectual and moral nature,” and that these may be trusted to hold their own under identical conditions of external life, including education in its largest sense.

As a woman holding this more modern view, and having undergone the experience of university life through several years, it has seemed to me my duty to state some of the differences between the practical workings of a coeducation and the *à priori* view of that system, because no discussion can be complete which ignores the light that experience can throw upon the subject. One point in the general discussion may be gained, even in the minds of thinkers who retain

the obsolescent view of women, if it can be shown by the testimony of experience that the admission of women to universities under the conditions of coeducation, while satisfying the human longing for wide intellectual life, need not cripple women for the performance of the functions of wife, mother, sister or aunt. The best recent presentation of the *à priori* objections to coeducation is the subjoined letter, written by Mr. Francis A. Jackson, Dean of the Faculty of Arts of the University of Pennsylvania, and kindly furnished by him, in order that, after wide private circulation, it may contribute to the more public discussion of a subject demanding with increasing urgency the careful thought of American men and women; and it has seemed to me possible to establish my point by critically examining this letter in the light of experience.

COEDUCATION IN THE DEPARTMENT OF ARTS OF THE UNIVERSITY
OF PENNSYLVANIA.

The occasion of the following letter was the request made by a member of the Board of Trustees, a few days after their meeting in October, that I would note down, as fully as my leisure would permit, my objections to coeducation in the University of Pennsylvania.

Now that the question has been finally decided against coeducation I have had some additional copies printed, with a few verbal alterations, simply because I felt that it was due to myself that my friends, including especially that large number whom I have the honor to reckon among my former pupils, should know upon what grounds, sound or unsound, I earnestly opposed the adoption of such a plan.

While I am fully aware that the treatment of the subject is very incomplete, and that the arguments are by no means presented with the force that they would have had if the task had been intrusted to others more able, yet I have not been shaken in my conviction of the truth of what I have written by anything that I have read or heard on the other side, and in this conviction I commit it to the judgment of others.

Neither do I suppose that anyone has been convinced, or is likely to be, by reading this letter. My only object in giving it circulation is, as I have said, that those whose good-will I value should know that I have not acted in the matter without reasons which seemed to me imperative.

FRANCIS A. JACKSON.

November 25, 1882.

A LETTER, ETC.

MY DEAR MR. ———,

You have asked me to note down my objections to coeducation, or more properly, to coeducation *in the University of Pennsylvania*. The subject is a large one, and may be treated in different ways, but the result, I believe, will be the same in each case. I shall endeavor to present such considerations as appear to me to have the most weight, and shall naturally, as an old teacher, regard the matter chiefly from a practical point of view.

I need not say that by "*education*" in this connection is meant a *college* education, and that not *partial* but *complete*, including the full course of lectures, recitations and examinations, the hours spent in the college building, the companionship, the mutual influences, good or bad, the temptations;—in brief the college *life*; for this, even in a city college

with no dormitories, is an important factor, and is every year becoming a more important one, in the college education.

We may dismiss the inquiry, therefore, "whether women can pursue the classics, the mathematics, or the physical sciences, with success," for these constitute but a small part of the college education, and I believe that a mistaken prominence given to this question has been at the root of much that has been erroneously said and written on the subject. It will aid us in reaching a correct conclusion if we begin with a clearer idea of what a college education really is.

The college holds an intermediate place between the school for boys and the professional school or the active business life of the man. The boy enters it at a most critical time, and remains there during a period when his character as well as his mind is developing with extraordinary rapidity. He enters it a boy; he is to leave it a man. Its course of studies, its methods of teaching, its discipline, its moral influences, must all have reference to this development. It is not like the law or the medical school, in which the young man has, from the first, a definite aim, and pursues his course with the prize of professional success always before him; on the contrary, many a boy enters college with no other intention than that of getting a four years' respite from hard work, and meanwhile enjoying himself as much as respectability and a somewhat pliable conscience will allow. It is not only those (sometimes a minority) who have a nobler purpose, that the college faculty has to consider. The thoughtless and wayward youth have an equal claim upon it, and must, in fact, engross a larger share of its attention; and if (as I firmly believe is the case) a considerable number of these gain in stability of purpose under its training, and go forth with a truer conception of what their life should be, of what manhood really is, it accomplishes an important part of its appointed work. Now, the real question before us is, whether this sort of training, whether the studies, methods and influences, that will accomplish this work, are the same for boys and girls: Whether the manly and the womanly character are to be developed by the same means.

We must not then confound the question of a "*higher* education for women" with that of *coeducation*, nor the question of an *equal* education with that of the *same* education. We have, in fact, these four distinct questions:

1. Should women be as well educated as men?
2. Should they have the same education?
3. Should they be educated together?
4. Can this, or ought this, to be done in the Department of Arts of our University?

These are distinct questions, though they bear an important relation to each other. Distinct, in that any one of them may be answered in the affirmative and yet all that follow be denied; related, in that the denial of any one carries with it the denial of all that follow.

To the first of these I presume all will cheerfully assent. *Women ought to be as thoroughly educated as men.* But here, for my part, I must draw the line; for I believe that the sexes differ essentially in mind and heart, and that, therefore (an inevitable conclusion), they require a different education.

If it is not so, if they are mentally and morally the same, created to fill the same sphere, to struggle, in the forming of their characters, through the same temptations, then what becomes of the doctrine (by no means *exclusively* but *preëminently* the Christian doctrine) that they are complements of each other, that the man and woman united in marriage are *one*, that they are a mutual help to each other in mental, moral and religious growth, that (as finally revealed in the New Testament) their union is a symbol of the union of Christ with the Church? Why do not men find all the solace and companionship they need in their own sex, and women in theirs? We are upon this supposition brought down to the monstrous conclusion that the difference in sex is simply an anatomical difference, having for its sole end the propagation of the race; that men and women bear no other relation to each other than the male and female of the dog or the horse. For my part, I prefer the New Testament teaching, that woman is entitled to "*all honor as the weaker vessel.*" No

disparagement here of the woman, but at the same time the clearest recognition of a difference between her and man. The porcelain vase of delicate workmanship is weaker than the iron pot, but it is also the more *precious*; each has its use, but the former is to be treated with "*all honor*."

If it be said that the education may be the same up to a certain point, I reply that this point is reached before the beginning of the college course. Our theory is that the college gives the young man a *complete* education up to (say) his twentieth year—it carries him through the period which is most important in his mental and moral training—it fits him for professional study or for active life; and during the same period the young woman must be fitted for her duties as wife and mother, or for those very similar duties, which the unmarried woman is so constantly called upon to perform, as sister or aunt, or, in general, as a ministering spirit shedding a benign and purifying influence on all around her. During this period the young of both sexes must be furnished with the tools they are to use in their life's work, mental, moral and physical, and the armor and weapons they need for their moral conflicts with the evil influences within them and without.

There being, then, an essential difference in their moral and intellectual natures, they must, during this *college period*, be educated differently, if we would give to each sex its highest development and culture.

I believe that these considerations dispose of the whole subject of coeducation. To sum them up briefly: 1. Men and women are essentially different, intellectually and morally; their work differs; their temptations differ. 2. Their education from fifteen to twenty, of which the college education would form by far the largest part, must fit them for this work and for these temptations. 3. Their education during this period must differ in the subjects studied, in the methods of study, and in the influences by which they are surrounded. 4. They cannot be educated together.

II. I have endeavored thus far to show that the education of the sexes must differ, and no matter how slight that difference is, it excludes all idea of coeducation; but a brief inquiry into the course and methods of teaching in colleges will show more conclusively how impracticable such a system must be.

Experience has led to the adoption of a certain curriculum and certain methods as the best adapted to the education of young men. A large portion of it consists of literature, ancient and modern; a most essential part is mental and moral science. In all of these we must occasionally dwell upon certain points with a particularity and a plainness of speech which could not possibly be used with young women, even by one of their own sex, still less by a man, still less in the presence of young men, *still less* (if there is any lower point that we can reach) when it is remembered that this instruction is not given by lectures merely, but by recitations—that they are not hearers only, but *students*, encouraged to search out the truth for themselves, and required to repeat what they have learned in each other's presence.

First, The Classical Literature.—Something has been said lately about judicious selections and judicious pruning being all that is required. I do not doubt the scholarly character of some who have expressed this opinion. If it were simply a question of classical scholarship, I should cheerfully yield to their superior learning; but I have good reason to believe that the difference between us consists rather in a different estimate of what may with propriety be read by young women, and especially by young men and young women together. For my own part, I will say, without hesitation, that no course in Latin or Greek or *English* literature can be adopted which will contain what the boy ought to read and, at the same time be fit for the boy and girl of fifteen to twenty years of age to read and study together. I have selected and have pruned down the course in my own room with all the care that I know how to use. I have excluded everything wanton in its language and immoral in its tendency, but in all the ancient writings, Plato, Cicero, and Tacitus, as well as Horace and Virgil, in their directly moral teachings, as well as in their histories and their lighter poetry, I find a *plainness of speech* utterly incompatible with the idea of coeducation. The modest girl, the

decently-minded boy, could not read these writings in each other's presence without shame, without, I believe, seriously blunting their natural delicacy. The same is true of the English, *though in a less degree*, because no translation is required, because the reading is done by the professor only, who can omit what he chooses without comment, and because (as at present conducted) the ladies admitted to the course are not *companions* of the young men, but simply strangers, who come to those lectures and leave when the lecture is over. But questions may sometimes be asked by members of the class which it would be impossible in such presence to answer, which the professor would be compelled to *evade*.

Secondly, The Mental and Moral Sciences. How is it possible to teach morality upon a scientific basis if the sexes are ignored? How can *practical* morality be taught to our young men if no mention is made of *purity*?

In *Mental Science* the sexual relations are constantly cropping out. The *Evidences of Christianity* necessarily involve, at the present day, the discussion of Darwinism. In *Social Science* there are questions of extreme delicacy—questions of pauperism, perhaps of prostitution. I have certainly seen in some of its text-books chapters (on population, etc.) which I should be very sorry to have any young woman read, even in private.

III. A third consideration, entirely independent of the preceding, and, as I think, of the greatest possible importance, is this: That co-education in colleges brings the youth of the two sexes into too close and easy an intimacy at a period of life when *nature*, as well as the *experience* of all time, has taught us that they should mingle with great reserve; that they are thus thrown together under circumstances in which it is impossible to exercise the control and wholesome influence over them which wise parents have always thought essential to their well-being. This is especially true in an institution like ours, situated in a large city, and drawing its students from every condition of life, real or artificial. The young woman would be forced into companionship, more or less, with young men, some few of them, perhaps, unsafe companions. The young women of humbler position (socially) would form acquaintance with young men in more fashionable life, who would not recognize them in society. I believe that the associating together of young men and young women of different ranks in the social scale is always dangerous—it is especially so when the young woman is of the humbler rank, and the danger is greater with us than it may be in places where the condition of society is less artificial.

It has been said (by one of our number) "that Providence has indicated, in ordaining the family, that the sexes should be brought up and educated together—that we are setting our faces against God's law when we separate them." But the cases are widely different. In the family there are only brothers and sisters, there are no flirtations, there is not the first thought of sin, and therefore no temptations to it, for they are bound by the strongest ties to regard and defend each other's purity. Secondly, their education in the family is the same only to a very limited extent. There is every opportunity for instructing them separately, whenever it is desirable for any reason to do so. And thirdly, Providence has also ordained that in the family there shall be a *mother*, as well as a father, an educator and guardian; and it seems to me that *those* men are setting themselves in opposition to God's law, as revealed in the family, who bring young women, few or many, into a school where they must remain three, four or five consecutive hours, in the company only of young men, with male teachers only, and with no motherly care of any kind to guard and counsel and protect them.

Again.—Other schools have been referred to, where the experiment has been successfully tried; but the circumstances are in all of them very different from ours. A school in which the lectures or recitations are distributed through the day, and the young women are cordially received by twos or threes to board in private families, sufficiently near to the college building to allow of their spending the interval between lectures at their homes, is not a parallel case with ours. Such is the case (according to the testimony of a warm upholder of coeducation) at Ann Arbor. A school in which the dormitory system is adopted, with parlors and studies to which the girls may retire between recitations, with

matrons to supervise and female attendants to wait upon them, gives us no help in determining what would be the result with us.

But, after all, what do we *know* of the successful working of the system even in these institutions? All that any one can say is what one of its advocates said, "that he has never seen any evil consequences." We may admire the simple faith of the man who rests his belief upon such a foundation, but we can hardly rely upon his judgment.

Let this purely negative testimony go for what it is worth; to me it seems hardly worth a reply. How little can the college authorities *know* of the flagrant sins even that may be committed in their own institutions, or which may have originated there, in the too intimate and too constant association of the sexes? How little can they *know* about the occurrence there of those many minor offences against propriety, in thought, in word or in deed, which never ripen into flagrant sin? What do they know of the wounded delicacy, suffered merely, not invited, which yet leaves an abiding stain upon the young girl's purity of thought? all the more abiding, perhaps, because the "*esprit de corps*" of the college student forbids that she should confess it even to her mother. Mere negative testimony from a score of college faculties can have no weight in such a question as this.

The argument has been advanced "That the woman has a *right* to an equal education with men, and that, therefore, if we cannot give it to her separately, we must educate them in common." But does it follow that from her possession of this right that the University of Pennsylvania is bound to secure her in the enjoyment of it? I know of nothing in its charter which requires it to undertake such a duty.

If, however, the views that I have tried to maintain are correct the argument is itself fallacious in more ways than one; for, in the first place, we do not give them an *equal* education by giving them the *same* education; that which is best for the man is not the best for the woman; we must educate them separately and differently in order to educate them equally well. And, secondly, we must not, in order to secure her a right, do her a positive wrong. Of all woman's rights I know of none more sacred than the right to be protected by man from all dangers, as well from those she is ignorant of as from those that are manifest; and I hold that our duty to woman, and to the whole community, of which she must ever be the purifying and ennobling element, demands of us that we should close the door (or keep it closed) to those dangers to which, by coeducation, she would certainly be exposed.

I have indicated, very imperfectly, I know, these three objections to coeducation: First, that the difference in mind and heart of the sexes requires a different education. Secondly, that the subjects studied and the methods of study essential to young men are utterly unfit for joint study by the two sexes. And thirdly, that the too intimate association of young men and young women at that period of life is injurious to both, and especially dangerous to the young woman.

I could wish that the subject had been treated by some one better qualified to handle it, but what I have done I submit to you to use in whatever way you think best.

I am yours, with great regard,

FRANCIS A. JACKSON.

To _____, Esq.

Mr. Jackson's definition of "a college education" is clear and just. Exception may, however, be taken to his conception of the college itself. A college is not a reformatory institution. "The trifling and wayward" should not "in fact engross a larger share" of the attention of the faculty. A college with standard so low as to admit "trifling and wayward youth" in proportion great enough to

"engross the larger share" of the attention of the faculty does gross injustice to the faithful students whom it first places in doubtful company and then neglects. Such a proportion is not admitted to Cornell; yet careless lads develop into able, conscientious men in the atmosphere of self-respect which prevails in that university. Young girls, too, well-meaning but thoughtless, develop into women of firm principle and high character under the same wholesome influence.

The New Testament argument for different training meets its answer in the fact that women students have shown themselves in no sense "weaker vessels." Physically and intellectually, the young women at Cornell have shown themselves at least the equals of the young men with whom they have recited. The Registrar's records prove this true so far as the university tests go; and I challenge the opponents of the admission of women to universities to prove it untrue by any other tests. From their fellow-students these women receive "all honor," not as "weaker vessels," but as respect-inspiring peers.

Mr. Jackson reverts to the definition of collegiate education, and proceeds: "Our theory is that the college gives the young man a *complete* education up to, say, his twentieth year; it carries him through the period which is most important in his mental and moral training; it fits him for professional study or for active life, and during the same period the young woman must be fitted for her duties as wife and mother, or for those very similar duties which the unmarried woman is so constantly called upon to perform, as sister or aunt, or, in general, as a ministering spirit, shedding a benign and purifying influence on all around her." Now, it is as impossible to spend four years in training for wifehood, motherhood, or the duties of sister or aunt, as it is to spend four years in training for husbandhood, fatherhood, or the duties of brother or uncle. In Abigail Adams' day women needed, through the years now given to college-life, training in dairy work, cooking, spinning, and sundry other trades which no longer form an essential part of the occupations of well-to-do women. Our grandmothers served an apprenticeship. At present the irresistible need of occupation forces most women of leisure, who do not go to college, to adopt some home imitation of collegiate study, if they would not waste their lives as mere trivial, dancing, tennis-playing, society-idlers, or futile dabblers in the arts. Examination of the lives of my contemporaries, who stayed at home while I went through college, fails to show that they found any adequate occupation of their

time in technical training for a career as "ministering spirits, shedding a benign and purifying influence on all around them." On the other hand, was the revered wife of the late President a less wise and tender nurse, through that long illness in which the eyes of the world were upon her, because she had been her husband's fellow-student at Hiram? Is my college friend a less helpful sister because she leads her young brother to read Shakspeare and Browning? It is because her intellectual life is his, her education the same in every way with that which he will receive, that he respects her judgment and reads books which she has learned to know as valuable while studying them with the men who were her classmates. Without that experience there would be an appeal from her judgment as the prudish dictum of the "weaker vessel," unfit by reason of different training to form a correct judgment of the needs of the masculine mind. Are my classmates, now students at the Women's Medical Colleges of New York and Philadelphia, less fitted to shed "benign and purifying influences on all around them" in the sick-room because in Dr. Wilder's fine special classes they received a part of their university-life training in comparative anatomy more minute than that afforded by any college for women? These are single instances from a multitude of examples that might be cited to show the practical help which university training may give to women in the sphere of life which is considered peculiarly their own.

Perhaps a more plausible point is the following: "There being, then, an essential difference in their moral and intellectual natures, they must be educated differently if we would give to each sex its highest development." Granted the fundamental assumption, and the reasoning is true. But it is unfortunate that this "essential difference" is nowhere accurately defined. I have never found an "essential difference" a bar to keen enjoyment to study with my father and brothers and my college friends. A certain difference of point of view gives zest to discussion, but further "difference of intellectual and moral nature" is not conspicuous; nor have the professors at Cornell been able to detect such difference in the classwork, examinations or theses of the men and women under their care. But if there be an essential difference, will identical education mar it? The inevitable oak and ivy grow side by side under identical conditions; but each maintains its own individuality and assimilates to itself what its development requires, because the difference between them is essential. That college life best fits young men for their work, and their temptations,

which makes them noblest human beings; which strengthens in them self-respect, candor and faithfulness in work. Are not these the very qualities which all prescribe for women? There need be in the classroom nothing which can hinder their development—there may be much, very much, to foster all three of these qualities.

Concerning the classics Professor Jackson speaks with the authority of a long experience. His discussion of the subject, therefore, places in a bad light the classical work done in colleges not yet open to women. Certain it is that the department of arts at Cornell is not a corruptor of youth, and equally certain is it that a graduate of that department, Miss Julia J. Thomas, earned the Greek prize at one of the intercollegiate literary contests, while most of the senior and junior students in the department are women. Yet Professors Flagg and Hale have not been wont to complain that by omitting here and there a passage, rarely a whole page, they have lost the value of the classics. It is not the vileness of the early literatures that is precious. If the presence of women secures a more careful discrimination against coarse renderings, the work need lose nothing in scholarly quality. Women who have read "Plato, Cicero and Tacitus, as well as Horace and Virgil, in their directly moral teachings, as well as in their histories and their lighter poetry," at Cornell, have suffered less from the ancient "plainness of speech" than home-bred girls habitually do from *double entendre* at the theatre and in the novels that they freely read. Moreover, the Archaic quality of that "plainness of speech" renders it in great measure harmless. Every one knows how Elizabeth Barrett Browning read the Greek poets with her friends. Those friends were men, for English women were not in those days taught what one wise father taught his poet daughter. Yet Elizabeth Barrett Browning was a "modest girl." More than that, she was a pure-souled woman.

In instructing youth in the mental and moral sciences, it is questionable whether any professor need use plainer speech than women habitually hear from the pulpit. Certainly there is no plainer Saxon in any text-book than preachers freely quote from Christ's own lips. No man, moreover, is a fit instructor of youth in these subjects whose professor's chair is not to him a pulpit, whose treatment of his subject is not as clean and true as any preacher's.

Mr. Jackson lays much stress upon the social relations involved in coeducation, and provides, in so doing, a cogent argument for the admission of women to all universities, and especially to all such as

the University of Pennsylvania, which serves a large constituency of students in the great city in which it is situated. Among young men and women, banished from home and thrown upon each other for companionship, there is an undeniable tendency toward forming personal attachments. But *why* is not that a reason for opening all universities, and especially all colleges and academic departments, to women, in order that, so far as possible, women students may be enabled to remain at home? A large number of women graduated from Cornell have been banished from home when home-life is essential, because the colleges of their native cities are closed to women. The college friendships formed under these circumstances lack the wholesome home criticism which every young woman needs. Happily, women earnest enough to undergo banishment for the sake of study may be safely trusted; but they themselves suffer under responsibility needlessly and cruelly forced upon them. This is a frank admission that there is a possible disadvantage in sending young men and women to college together *away from home*. Is it not a reason for enabling them to remain at home? This can be done only by opening to women all existing institutions—unless the injurious multitude of small colleges be vastly increased.

Mr. Jackson's position would be characterized by more of modest dignity if he were ignorant of the testimony of the officers of Michigan, Cornell and Boston universities, who have carefully and minutely studied the practical workings of coeducation. Many of these gentlemen brought to the subject the very prejudices under which theorists of Mr. Jackson's school are still laboring, and they would have been prompt to bear witness and protest against the lowering of standard by the admission of women to their colleges, or the disastrous moral results which Mr. Jackson predicts as consequent upon the association of men and women in university work. I could cite a number of Cornell professors whom experience has converted from opponents into advocates of coeducation. But Mr. Jackson sees fit to sneer at the "simple faith," doubt the "judgment," and, by implication, throw discredit upon the standard of womanhood of eminent scholars and instructors, his professional compeers.

True it is that "mere negative testimony from a score of college faculties can have no weight in such a question as this," when "this" means "the wounded delicacy, suffered merely, not invited, which yet leaves an abiding stain upon the young girl's purity of thought." Happily, testimony has been accumulating through more than a

quarter of a century of more weight than all possible *à priori* reasoning. This is the testimony of the women-graduates themselves, embodied in action that cannot be misunderstood, not mere protest made in indignant repelling of a suggestion unworthy of a leading teacher of American youth. In the fact that the entering classes at Cornell, Boston and Michigan contain every year younger sisters, cousins, nieces and pupils of graduates, the college-bred women of America amply testify that they who know through experience the full significance of university life for women dread not in the least degree that the young girls for whose welfare they are responsible may suffer harm from it. In the face of this fact what more need be said? If coeducation brought pain where pain is keenest, college faculties would, indeed, not be told of it; there would, however, be no younger sisters in the entering classes. It is impossible to hold Mr. Jackson's position without aspersion of the character, delicacy and conscientious affection of hundreds of the noblest women of America.

An astounding feature of the *à priori* discussion of coeducation is the oblivion of *à priori* thinkers to the one quality which is so marked a feature of American womanhood as to distinguish American women throughout the world. Stronger than all other safeguards, in society, in college, in marriage, in all her life, is the American woman's self-respect. No one who has not experienced it can form an adequate conception of the effect on a young woman who finds herself welcomed by a great university to the best that it can give, including the intellectual companionship of the men who will be the leaders of the nation in her day and generation. Swiftly there develops within her such self-respect and such *esprit de corps*, that fine extension of self-respect, as may well set parents and faculties at rest concerning her.

I believe that I have examined candidly Mr. Jackson's presentation of the *à priori* objections to the admission of women to universities, and that in the process it has been shown that coeducation need not injure women for the performance of the four-fold function to which Mr. Jackson consecrates them. The argument from experience may not carry conviction to persons who have encased their ideas forever in the old theory of woman's peculiar sphere. But candid people say: "If the theory and the facts come into collision, so much the worse for the theory." If the experience of the second half of the nineteenth century shows that women have entered into the larger life of the world without losing or impairing their essential womanli-

ness, then the world must abide by the result. If it has been shown that the results of actual experience disagree with Mr. Jackson's conclusions, then does the demonstration, assuming that his argument is logical, become a *reductio ad absurdum* of his original hypothesis.

One other assumption deserves attention, namely: that trustees and faculties of universities are ex-officio censors of the community. All great universities are asked to adopt a policy already carried beyond the realm of experiment. This certain universities refuse to do because *à priori* reasoning convinces their trustees that the women who ask instruction may suffer despite the fact that they can withdraw at any moment on falling into danger. Such refusal insults the good sense of the nation. To open the universities to women is not to compel the entrance of unfit or unwilling women; women do not wish to suffer; fathers do not injure their daughters wilfully. If university life for women be found not good and helpful, women will cease to enter universities. Meanwhile, it is beyond the function of the trustees of educational institutions to preclude parental decisions. The exclusion of women from universities on the ground of protection to women is an insult alike to parental wisdom and the judgment of the women who, having experienced coeducation in our high schools and colleges, ask for advanced instruction in our universities. It is, moreover, an unwarranted assumption of responsibility.

FLORENCE KELLEY.

DECLINE OF THE FRENCH PREMIERSHIP.

IN a previous paper on "Constitutional Tendencies in France" ¹ I sought to analyze a government of a mixed type, which combined characteristic elements of the presidential and cabinet systems, without party organization, as it is understood either in the United States or in Great Britain. The argument pointed to the conclusion that the Constitution of 1875 was tentative rather than permanent, and that a closer approach must inevitably be made to some system of a single type. M. Gambetta was then a political force held in reserve. His career is now an inspiring reminiscence of the heroic and creative periods of the Republic. The collapse of his premiership and the

¹ "The International Review," May, 1881.

subsequent degradation of the office have so important a bearing upon the constitutional tendencies discussed in the earlier paper as to justify a return to the subject. The premier is less of a political personage than he was. Never a party leader, like a genuine prime minister in Great Britain, Belgium or Hungary, he is now little more than a chief-clerk in the employ of the Deputies. There has been a rapid decline in the personal influence of the premier and in the collective authority of the ministry. Cabinet government, as it is understood in London, Brussels, Pesth, or even Vienna, has unmistakably lost ground in Paris. This of itself is a most significant fact. It may not imply an inevitable adoption of the American system. It does indicate a departure from the English system.

The premiership is not an office that has been crowned with traditional honor in France. In its origin it was not distinctively republican. There were no premiers during the great Revolution. There were committees of safety and revolutionary dictators. Napoleon had confidential advisers, such as the Duke de Cambacérès and Prince de Talleyrand; but while they conducted the administration when he was fighting his battles they were responsible only to himself, and could not be termed prime ministers. The premiership was a Bourbon institution, introduced after the Restoration. Louis XVIII. sanctioned the creation of the first constitutional ministry, with a premier in the chief seat. The first premier was the Duke de Richelieu, who remained in power until the ultra-Royalists succeeded in breaking up the majority that gave him political support. He was a royal agent, like Turgot or Necker, under Louis XVI., and a parliamentary agent as well. His successor, M. Decazes, was kept in office for two years through the personal intervention of the sovereign, and was supplanted by Count de Villèle, a supple instrument of the reactionary factions. Seven years passed before there was another premier. M. de Martignac headed a liberal cabinet that was in accord with the Legislative Chambers, but went down before a court cabal. Prince de Polignac followed him, and soon succeeded in dragging Charles X. into the abyss. The Bourbon dynasty was overturned, and the last of its premiers was forced to take refuge in flight. Only one of these four premiers had uniformly respected the will of the Legislative Chambers.

Under Louis Philippe the ascendancy of a parliamentary majority became more marked and the influence of the court was exercised secretly rather than openly. Among the Orleanist premiers were

Laffitte, Casimir Périer, the Duke de Broglie, Thiers, Molé, Soult and Guizot. In this era of constitutional government there were two commanding figures, and each in turn was overwhelmed with defeat and unpopularity. Thiers retired in chagrin only to emerge in a fit of resentment in order to witness the downfall of his rival. Guizot sought to transplant the English system to French soil, where the conditions seemed most favorable for its rapid development. The King, the Chambers, the middle-classes and the mass of public sentiment were on his side, and he had acquired by personal observation, as well as by prolonged study, a thorough knowledge of the practical working of that system of constitutional government. Yet, with a sovereign who was willing to let him have his own way, and with majorities in the Chambers that were ready to register his decisions, the most philosophical of premiers labored in vain. The English ideas would not take root in France. Under the Second Empire the ground was cleared of foreign growths. The ministers released from responsibility to the Chambers became the personal representatives of a sovereign, who liked to brood in secret over his intrigues and projects. The council-chamber seldom knew what was going on in the Imperial closet. A talent for political trickery was the Emperor's supreme endowment, and he was best pleased when he could mislead and confuse his own ministers as well as surprise the boulevards. He had nominal premiers, but they were not consulted until he had himself decided what was to be done. The Duke de Morny was for thirteen years his confidential adviser, yet was in no sense of the word a prime minister. Count de Casabianca, M. Rouher, M. Ollivier and Count de Palikao nominally headed the Council of Ministers, but the most important measures in home politics and foreign affairs were adopted frequently without their sanction, sometimes without their knowledge.

The premiership was a Bourbon institution with English ideas engrafted upon the original trunk. It was neither a Republican tradition nor an Imperial device. It was not uprooted when the Empire went down, nor was it immediately restored when the Republic was established. For nearly five years after the downfall of Napoleon III. France was governed without a constitution. M. Thiers was President under the Pact of Bordeaux, which proclaimed a truce between parties and invested him with authority to make peace with Germany, to liberate the territory, to suppress the insurrection in the capital, and to restore financial stability. He had Presidents of the Council, M. Favre and M. de Goulard, but he never ceased to be his own

premier. Before the National Assembly adjourned in 1871 he had assumed the title of President of the French Republic, and his office had been made coterminous with that of the Legislature. He assigned three important portfolios to Republicans, but the majority of the Assembly drove out M. Picard at the end of three months and M. Favre two months afterward. M. Simon remained in office until eight days before the catastrophe of May, 1873, being the only representative of the party with which the President was in sympathy. The ministry became more and more reactionary under covert attacks and constant pressure from the monarchial factions in the Assembly, until the minority, which steadily supported the President, was exasperated by the presence in office of men like M. de Goulard and M. de Fourtou. But, whether his ministers were deliberately selected by himself or forced upon him by the Assembly, the President's influence was paramount in the administration. The impetus of his executive ability—and no Frenchman ever had greater capacity for administration than M. Thiers—was felt in every department of the government. M. Simon says: "The President liked to know the ministers' affairs before they knew them themselves, which was not always to their liking." In his executive functions he was far more efficient and powerful than his successors have been. At the same time he was without a rival in the tribunal, and could invariably command a majority by an outbreak of eloquence coupled with a threat of resignation. He was President of the Republic, leader of the Assembly, and his own premier. When an order of the day adverse to the administration was finally carried he resigned the presidential premiership, acting in strict accordance with the traditions of cabinet government in England.

If M. Thiers was an English premier in the Chamber, and an American President in the council-chamber, his successor was neither the one nor the other. Marshal MacMahon was not destined to become the Monk of a new Restoration, for the monarchial factions could not succeed in reconciling their claims. The only Bourbon institution that was restored during his term was the premiership. The first three premiers, the Duke de Broglie, General de Cissey and M. Buffet, were in sympathy with the Conservative majority, and resembled in many respects the premiers of Louis XVIII. After the success of the Republicans in the first general election held after the adoption of the Constitution, M. Dufaure and M. Simon headed Liberal cabinets which could be compared with that formed by M. de Martignac in

1827, and when M. Simon was contemptuously dismissed in 1877 there was a new Polignac ministry. The Duke de Broglie, who had resigned when he was defeated on a question of procedure relating to the reëstablishment of a second Chamber invested with the power of dissolving the Lower House, now consented to form a ministry which would represent the minority of the Deputies. He was supported by a narrow majority in the Senate and enabled to dissolve the Lower Chamber and to order a general election, but the constituencies were not to be bribed, wheedled or frightened. The reactionary ministry went down, and after the President had tried the patience of the Deputies by nominating a so-called business cabinet under the direction of General de Rochebouet, the precedent was established that the ministry must have the support of a majority of the popular Chamber. The President, who had shared the experiences of Louis XVIII. and Charles X. in dealing with premiers, might have rounded out his term with a series of Louis Philippe ministries. But he was weary of having a distasteful policy dictated to him, and by resigning his office relieved his premier of the embarrassing duty of managing an unmanageable President. What the office had gained in dignity under the Constitution it had lost in actual power. The President no longer led the dominant party in the Chambers. His voice was not heard in the tribune, and his influence was no longer supreme in the council-chamber. The control of the administration had passed out of his hands. He had become an ornamental figure in the State. He was a convenient substitute for a constitutional king and made an imposing appearance on fête days, when the troops were to be reviewed or an international exhibition was to be opened.

With the accession of President Grévy in February, 1879, the transition period between reactionary conservatism and progressive republicanism came to an end. The Republicans for the first time found themselves in undisputed possession of every citadel of political power. They were firmly intrenched in the Municipal Councils, the Councils-General, the Chamber of Deputies, the Senate, the Presidency and every department of the administration. The Chambers were united and "the safest man" was President. A Republican of the highest type, M. Grévy was singularly free from the taint of political ambition. His wits never went wool-gathering for a public mission. The supremacy of the Legislature was a cardinal doctrine of his political faith. Never was there a President less disposed to assert himself or to magnify the importance of his office. Even if he could

have been assured in advance that the premiership would increase and the presidency decrease he would not have offered any resistance to the normal development of Republican institutions. Yet, with a good lead and everything in its favor, the premiership has steadily lost ground in the race for political power.

That there should have been ten premiers from the fall of the Empire in September, 1870, to the accession of President Grévy in February, 1879, was not a signal proof of the inherent weakness of the office. The battle between the Republicans and the reactionary factions had not been fought, and settled government was out of the question. But when the battle was won, and the Republicans were in possession of the whole field of politics, the instability of the premiership acquired a fatal significance. M. Dufaure, who had been so adroit and so useful in managing President MacMahon, retired from office soon after M. Grévy was elected President, and consequently is not to be counted with the premiers of the third presidential term. Of these there had been six before the middle of the term was reached. These were M. Waddington, in February, 1879; M. de Freycinet, in December, 1879; M. Ferry, in September, 1880; M. Gambetta, in November, 1881; M. de Freycinet, in 1882; M. Duclerc, in 1882.

The first three of these ministries may be grouped for the sake of convenience, as they have characteristics in common. They rose and fell during the period when M. Gambetta was President of the Chamber of Deputies and opportunism was the dominant idea in politics. Each was the previous ministry reorganized. M. Waddington, who had been Minister of Foreign Affairs under M. Dufaure, offered portfolios to most of his associates. M. de Freycinet, who had been Minister of Public Works under M. Waddington, retained fewer of his colleagues. M. Ferry, who had been Minister of Worship and Public Instruction under two premiers, made only one or two changes in reorganizing the ministry. These three premiers had genuine administrative ability. M. Waddington resisted the impeachment of the ministers of the 16th of May, managed the amnesty question with tact and dexterity, prepared the way for the return of the Chambers to Paris, and reorganized the army and many branches of the administration; M. de Freycinet gave the signal for retaliation upon the Jesuits, and, when the Seventh Article of the Education Act was rejected by the Senate, enforced the will of the Lower Chamber by issuing the decrees against the unauthorized associations, and M. Ferry not only executed those decrees, but entered upon a campaign of foreign conquest. These

premiers were not lacking in official dignity. They selected their associates in the ministry, and in all matters of public policy were responsible to the Chambers. M. de Freycinet was asked by the President to retain M. Waddington and M. Say, but refused to become premier unless he could be allowed to exclude the Left Center functionaries, and exercise his own judgment in recruiting his ministry entirely from the ranks of the Pure Left. The republican king reigned without governing, and his premiers resented interference from the Elysée. At the same time they were unable to resist the dominating influence of M. Gambetta. M. Waddington resigned without a struggle when the President of the Chamber evinced dissatisfaction with his administration. M. de Freycinet resolutely declined to dispose of the amnesty question; but no sooner was the ministerial policy defined than the great orator, by a single speech from the tribune, forced the premier to eat his words, and to bring in the very measure which he had been opposing. Subsequently, when the same premier adhered to his own lines of foreign policy, and in a speech at Montauban showed that he had a will of his own, he was ignominiously driven out of office. In like manner, irrefutable evidence of the weakness of the premiership and the supremacy of the President of the Chamber was afforded in the collapse of M. Ferry's ministry.

The last instance requires more critical attention because an appeal to the country was made by the premier. This was the first general election which had been ordered since the Republicans had been in complete possession of all departments of the Government. It is interesting to observe the attitude of the premier. There was a great question concerning which there were serious divisions of opinion in the Republican ranks. This was the revision of the Constitution and the substitution of department for district elections. The premier opened the canvass by proclaiming opposition to every scheme of revision. M. Gambetta replied by making an unequivocal appeal for the *Scrutin de Liste*. The premier, abandoning his position with a precipitate rush, meekly accepted M. Gambetta's platform. When the elections were held and the party in power had been materially strengthened the premier was in hot haste to resign before the Chambers assembled. The first rumor that M. Gambetta had been convinced that he could no longer avoid the responsibilities of office rendered the position of the ministry untenable. M. Ferry remained in office because M. Gambetta was unwilling to incur the odium of the Tunis exposures, but when the official explanations had been made he

retired with his limp and demoralized ministry. He had made a successful appeal to the country, and had added to his majority, but no attention was paid to him. The Deputies even spared themselves the trouble of voting him down. He resigned with such an utter absence of dignity that one might have supposed that he represented the minority, which had sustained an overwhelming defeat before the country.

With the accession of M. Gambetta France seemed to have some assurance that the era of tentative reforms and unstable ministries had come to an end. Not only were the Chambers united, but the strongest man was premier under the presidency of the safest man. The orator of the new revolution, the organizing genius of the restored Republic, the apostle of opportunism, he was the typical Frenchman of the decade. Despite his ill-timed journey to Cahors, his associations with renegade Imperialists and scheming stock-brokers, and his reverses at Belleville, his supremacy in politics and his popularity with the constituencies were unquestioned. His call to the premiership was seconded from every quarter of the triumphant Left, and Frenchmen welcomed with one accord the era of political reorganization, which they fancied would follow the formation of the grand ministry. The hour of disenchantment was deferred only ten weeks. The experience of the nation justified neither the promises of the leaders nor the expectations of the masses, but confirmed the mature judgment of Guizot, who wrote at the close of his career: "It is with nations as with individuals; the lessons of a vigorous life are slower and dearer than the presumptuous hopes of youth imagine."

M. Gambetta's ministry differed from the three ministries which had preceded it, in three respects: 1. It was homogeneous. It was not a made-over ministry. Only two of its members had been in office: M. Cochéry, who by his administrative capacity had rendered himself indispensable in the Department of Posts and Telegraphs, and M. Cazot, whose ideas respecting judiciary reforms were in accord with the premier's. Otherwise the ministry was made up of new and untried men, taken mainly from the Gambettist newspaper offices. With the exception of M. Paul Bert, the premier did not have a single associate of genuine force of character. But while the ministry was deficient in administrative capacity and political ability, it was homogeneous. Its members were bound to their chief by the closest ties of personal loyalty. 2. The ministry was independent. President Grévy had not imposed any conditions upon the premier,

and there was no irresponsible dictator on the floor or at the presidential *fauteuil* of the Chamber of Deputies. M. Brisson did not hold hurried conferences with political managers and leaders of groups, in order to guard the ministry against defeat or to compel the premier to revise or to reverse his policy. M. Gambetta had no rival while his premiership lasted. He and his ministry were independent.

3. The ministry retired from office with dignity. M. Gambetta had advocated in his election addresses a principle of electoral reform, in support of which the members of his party were practically united when the Constitution was framed. This was the *Scrutin de Liste*. It was a reform with which his name had been identified. The Deputies and the constituencies knew this when he became premier, but were unwilling to have him make it the central idea of his policy. By postponing the consideration of the *Scrutin de Liste* to a more convenient season, he might easily have remained in office for an indefinite period, notwithstanding the uneasiness excited by the aggressive tendencies of his diplomacy. But the ignoble part of a political trimmer was not to his taste. He insisted upon having the question of electoral reform disposed of without hesitation and delay. He was defeated, but he retired without sacrificing his dignity. Surrounded by his body-guard of despised clerks, he went down like a grand premier.

But while the ministry of M. Gambetta was homogeneous in composition, independent in action and not inglorious in its fate, it lasted only ten weeks, and carried with it almost the only reputation which had survived the wasting years of Republican restlessness. M. Gambetta had been a force held in reserve. How quickly that force spent itself when opportunism could no longer be brought to bear like a brake upon the chariot wheel of state! It is not easy to determine to what extent the Deputies were swayed by vague apprehensions in regard to his foreign policy, by a secret jealousy of his political ascendancy, or by a selfish regard for their own seats in the Chambers; but whatever were their motives, suspicions or prejudices, the catastrophe proved that even the strongest man in France could not unite the groups in the Chambers nor make the premiership the great office in the State. If Mr. Gladstone were to appeal to the constituencies on the issue of reforms in county government and franchise he would have no difficulty in forcing his measures through the Commons with the aid of a large Liberal majority animated directly by the popular will. M. Gambetta, during the electoral campaign, had forced M. Ferry to

advocate constitutional revision, and had made the *Scrutin de Liste* a prominent issue; yet with a Liberal majority of overwhelming strength he could not shape the policy of the party when called to the premiership almost by acclamation.

The succession reverted to M. de Freycinet, who seemed to have a better chance of becoming an efficient premier now that he was released from the political dictatorship of M. Gambetta. He brought back, almost without change, the ministry which he had formerly headed, and conducted the administration from January 27 to July 29, 1882. His ministry was more unstable than it had been before. It was tolerated only because it was a convenient substitute for the Gambettists, who must be kept out at all hazards. It did not move fast enough to keep pace with the restless energy of the Deputies, nor did it always face in the right direction. Three times it was defeated on public questions, and the Ministers of Finance, Justice and the Interior were only kept in office through the personal intervention of President Grévy. Finally, after M. Clémenceau had become the recognized protector of the ministry, it was overthrown by an immense majority in consequence of its vacillating course in relation to Egypt. A week passed before another ministry could be formed, and when it was gazetted the boulevard wits amused themselves by inventing synonyms for its helplessness and mediocrity. One of the neatest of these sallies was that which characterized it as "a ministry without men, ideas or phrases." Headed by M. Duclerc, it was made up of under-secretaries and worn-out public functionaries. Neither the premier nor his associates represented the majority which had overthrown M. de Freycinet, for with two exceptions the ministers had voted with the meagre minority of seventy-five on that occasion. It had neither prestige, principles, nor popularity, and was destitute of political authority. It illustrated the degradation of the premiership and the fallen estate of cabinet government in France.

This survey justifies the assertion with which this paper opened—that there has been a rapid decline in the personal influence of the premier, and in the collective authority of the ministry. The premiership, planted after the Restoration as a Bourbon institution, and nurtured and trained during the Orleanist reign in the direction of English precedents, has drooped and spindled under the Republic as if it had no root in French soil. Even M. Gambetta, a great public personage, whose will had weight with the constituencies, had not

been able to enlarge the functions of the premiership, nor to add to its political authority, and where he had failed who could hope to succeed? So long as he lived there was a chance of his returning to his seat in the Council, and of his making the premiership the greatest office in the State by means of the *Scrutin de Liste* and a reorganization of the groups in the Chamber of Deputies. When he died the degradation of cabinet government was irretrievable.

This collapse of the premiership was inevitable. The office was illogical under a Republican form of government. A constitutional monarch can transfer the prerogatives of the crown to a premier who is the accepted leader of the majority of the popular Chamber. In a Republic a President cannot efface himself in this way. He has neither hereditary dignity nor historic prerogative; he has certain well-defined constitutional powers, and if he attempts to transfer these to a premier he becomes a shadowy personage in the State—a name, and nothing more. M. Grévy is one of the least ambitious of Frenchmen, but he has found it impracticable to withdraw from the administration and to invest any of his premiers with full executive authority. The letter of the fundamental law positively attests the superiority of his position, and he has been forced by the logic of events and by political necessity to make his office one of commanding importance. Even if the premiership had been a logical office under the Republican system, and if the historic associations of 1793 had given to it a special sanction, it could not have acquired in France the supremacy which it has in England. In order to have done this it must not only have absorbed the constitutional authority of the President, but also have retained a political ascendancy in the Chambers. If there had been a Republican opposition, as well as a government party, this political ascendancy might have been established. A premier, upon being defeated by a vote of the Chambers, might have passed over to the opposition benches, gathered supporters about him, attacked his successor at vulnerable points, and gradually strengthened himself for a return to office with a policy of his own and a party behind him. But in the absence of an opposition party to which the administration of the government could be intrusted upon the downfall of a ministry, the ex-premier had no opportunity for retrieving his disaster, and his successor in office was invariably a compromise candidate, accepted not because he was the representative of the principles which had been upheld in the parliamentary crisis, or the natural leader of the majority which had asserted its authority, but mainly because he was

a convenient substitute. Under these conditions it was impossible for a French premier to acquire either that personal ascendancy over his colleagues in the ministry, or that political authority over the rank and file of the majority of the Deputies, which would have placed him on a level with an English premier.

This collapse of cabinet government, logical and even inevitable as it has been, indicates a direction in which Republican institutions are not moving in France. The constitutional tendency is not toward the English system, but away from it. The negative implies a positive aspect. The departure from the English system involves an approach either to the American system or to a new type of government that is neither Presidential nor Cabinet, but Legislative-administrative. As the premiership decreases, both the Presidency and the Chamber of Deputies, governing as well as legislating by means of its select committees, are steadily increasing. The decline in the personal influence of the premier and in the collective authority of the Cabinet indicates two general directions in which Republican institutions may be moving in France.

That the President is more of a political personage than he was cannot be seriously questioned. The downfall of the strongest man was in one sense a personal triumph for the safest man. M. Gambetta had organized his ministry without reference to the President's wishes, and had undertaken to direct the public policy and to govern independently of the Elysée, and within ten weeks he had three-fourths of the Deputies against him. The President profited by his rival's disaster and humiliation. During M. Freycinet's second term the Deputies singled out three ministers, one after another, and sought to discipline them by defeating the measures with which they were individually identified. The premier declined in each instance to make the minister's measure a cabinet question, but left him at the mercy of the Deputies. The President then interposed his authority, and by his personal intervention each of these three ministers was kept in office. When M. Duclerc's ministry was formed the premiership was almost the last vacancy to be filled. President Grévy had distributed the portfolios himself, and when a sufficient number of under-secretaries and volunteers had been secured he had looked about and found a premier. M. Duclerc was not allowed to select his associates, but was himself the last fish caught in the President's drag-net. These incidents disclose a decided advance in executive authority. A President who can secure the overthrow of a powerful rival and substitute

for him a premier of his own choice is a very different President from him who was managed systematically by his premier. A President, moreover, who protects his ministers when they are assailed by the Legislature, and organizes his own Cabinet, bears a strong resemblance to an American executive.

This resemblance increases as the French Constitution is critically examined. Practically, the President is a greater political personage than he has been, but theoretically he has never been anything less than the head of the executive administration. His constitutional functions are explicitly defined. Elected for seven years by the National Assembly, he is released from the contingencies of votes of confidence and political combinations. Ministers may come and go, one premier may succeed another, but the President remains in office as tranquil and undisturbed as an American executive, who owes his election to the people. He promulgates and enforces legislative measures, disposes of the army and the navy, fills vacancies in civil and military posts, receives the accredited representatives of foreign powers, and presides over national celebrations. He can negotiate and ratify treaties under certain restrictions, but cannot declare war without the consent of the Chambers. He cannot appear in the tribune and fight his own battles there, as M. Thiers used to do, but he can communicate with the Chambers by message. He has the right of pardon, but not the power of veto, although he may return any measure to the Chambers and suggest a reconsideration of the subject. With this single exception, he has all the executive privileges possessed by an American President. He has also the power of adjourning the Chambers for a month, and of dissolving the Lower House with the consent of the Senate, and he shares with the Chambers the privilege of initiating legislation.

While the premier is not even mentioned in the Constitution, the President is nominally more powerful than an American executive. His functions, however, are partially suspended by a single clause: "The ministers are collectively responsible for the public policy of the government." Although the President is recognized throughout the Constitution as the head of the government, and the privilege of initiating legislative acts is expressly conferred upon him,¹ his ministers are held responsible for those acts, and can be dismissed at the pleasure or convenience of the Deputies. The excision of a dozen words in the fundamental law would release them from the vicissitudes

¹ Article III. Constitution of 1875.

of parliamentary life, and enable them to transact executive business as the President's Cabinet. The separation of the legislative and administrative departments of government would be complete. The premier would drop his title and become the Minister of Foreign Affairs and the President's confidential adviser. The ministers, who have been systematically disciplined and degraded until they are little more than the clerks of the Deputies, would be the responsible heads of executive departments. The President, while elected by the Chambers and not by the people, would be as independent in matters relating to administration as an American executive. Indeed, three great departments are already self-regulated and self-administered—the army, the navy and the engineers of the public works.

The President has increased while the premier and the ministry have decreased, but the gain is not proportionate to the loss. That the President has become the foremost figure in the State, practically as well as theoretically, implies an approach to the American system; and the facility with which he can acquire absolute control over his administration increases the probability that a closer approach will be made. But the simple change in the Constitution by which the French system would be rendered as logical as the American would involve a serious sacrifice on the part of the Deputies. They would have to give up their power of controlling the administration by means of votes of confidence and select committees. It is at this point that the tendency toward presidential government is counteracted by the tendency toward an experimental type of government, which I have termed Legislative-administrative.

The French have devised one of the best legislative machines now in practical operation in Europe. The processes are direct and rapid, there is comparatively little friction, and the gross amount of work that can be performed in the course of a single session exceeds the calculations of the most industrious and sanguine parliamentarians in other constitutional countries. Within a few years every department of administration has been reorganized—army, finance, schools, courts, municipalities, public works—and general measures of the gravest importance have been enacted in rapid succession. When a President is to be elected, or the capital is to be moved, a single half-hour suffices for the discussion, and a most comprehensive scheme of electoral reform can be broached, debated and disposed of in a day. This extraordinary facility in legislation has been acquired through a system of select committees organized by M. Gambetta. These com-

mittees are elected by the eleven bureaux into which the Chamber of Deputies is divided by lot. It is the perfection of legislative simplicity and efficiency. Every new measure is so exhaustively discussed in secret by a representative committee that it is speedily disposed of when it is finally reported. By this singular system of government by select committees, which was adapted to the urgent necessities of the Republic by M. Gambetta when he was at the head of the Budget Committee, and, subsequently, President of the Deputies, a Legislative-administrative control has been established. Having elected the President, the Deputies have looked upon him as their agent, and, consequently, have preferred to assume a general supervision of the details of his administration. As for the ministers, the Deputies have freely exercised their constitutional rights in demanding explanations from them in committee-rooms, and in reconstructing all public measures which are submitted to them. Never was there an engine of such tremendous simplicity in human government! It has succeeded in degrading the premiership into a series of head-clerkships, and has recently been attempting to dismiss ministers individually without being subjected to the necessity of turning out the Cabinet in a body. It has acquired a preponderating influence in the public life of France, and it will not surrender without a struggle that supreme control over the ministry which it has wielded so capriciously and so despotically.

It is this conflict of tendencies which makes the future of constitutional government in France almost as uncertain to-day as it was before there had been so conspicuous a decline in the personal influence of the premier, or in the collective authority of the Cabinet. The President is a greater political personage than he was, but it remains an open question whether the Deputies may not be able to degrade and discipline him, as they have the premier and the ministers, or whether he may not eventually release himself from his present state of dependence upon the popular Chamber in executive administration, assuming toward the ministry the relations of an American President to his Cabinet. The departure from the English system, in its positive aspects, only serves to indicate that there is either to be an orderly development of the American system or a novel experiment in human government—an omnipotent popular Chamber that enforces its own will, and regulates by means of committees the practical details of executive administration.

Conjecture may busy itself in anticipating crises in the national

existence wherein the President's privileges will be enlarged and the ministry be made responsible solely to him; or, again, in devising political combinations by which the Senate may be duped into entering unwarily into a National Assembly where it will be voted out of existence by a Chamber too formidable to be resisted by the President alone. Personal factors cannot be eliminated from the problem, for although the solution may be precipitated by the death of M. Gambetta, who was too powerful to be an American President himself or to allow any one else to be one in France, M. Grévy is almost a fanatical advocate of the supremacy of the Assembly, for it was he who proposed in 1848 the election for an indefinite term of a President who could be dismissed by the Deputies at their own discretion. If this quiet and unassuming President, who has imparted an air of republican simplicity to the Elysée, be the last man in France to offer resistance to the will of the Deputies, he will also be the last to excite their jealousy or ill-will.

The most satisfactory method of dealing with this complex subject is to dismiss personal considerations and vague conjectures based upon remote contingencies, and to ascertain which of the two tendencies is inherently the more logical: the tendency toward presidential government of the American type, or the tendency toward an omnipotent legislative chamber like the Convention of 1793. If the Deputies are to give direction to the administrative impulses, as well as the legislative energies, of the nation, logically there ought not to be a second Chamber. The Senate, however, is a legislative body having coördinate powers, and while it may be content for a season to be swayed by the dominating influence of the Deputies, it has not abdicated its functions. In any division of opinion that may arise between the Chambers, the Senate and the President are natural allies. The Constitution arms them with the power of dissolving the Lower House and appealing to the country. This is a most important check upon the ambition and encroachments of the Deputies, and offers a standing menace to the supremacy of a single Chamber. An omnipotent legislative body of the type of the Convention of 1793 cannot afford to have its functions shared by a rival Chamber. Nor can it be dissolved at the convenience of the President elected mainly by the votes of its own members.

On the other hand, there is the American system, as logical to-day as it was ninety years ago, when Lafayette, Duport, Barnave and the Constitutionals of the National Assembly sought the counsel of Mr.

Jefferson in framing a fundamental charter for France. With a complete separation of legislative and executive functions, a strong and self-regulated administration and a perfect system of checks and balances, it has acquired a stability and permanence which the democratic Republic of Rousseau and Robespierre did not have. The political and social conditions in France have changed since the days when the great Virginian despaired of the future of the country on account of the democratic zeal of its legislators, and Gouverneur Morris gravely remarked: "Frenchmen want an American Constitution, with the exception of a King instead of a President, without reflecting that they have no American citizens to support their Constitution." There are no longer distinctions of rank and hereditary dignities to be maintained by constitutional compromises. The plainest citizen may aspire to be the foremost man in the State, and the great mass of the voters, no longer swayed by the chimerical schemes of Rousseau, exercise the functions of citizenship with soberness, intelligence and self-restraint. All the conditions favor the assumption that the French mind, always conspicuous for what Mr. Matthew Arnold terms lucidity, will eventually discern the want of validness in the Convention type, and accept what has been practically demonstrated in the United States to be the most logical and permanent form of government for a democratic Republic.

I. N. FORD.

TRIAL BY JURY.

IN a country whose government is republican in form and essence, criticism, the most searching and independent, of its political institutions should be welcomed as an evidence of healthy national life. Yet there are certain necessary limits to such criticism. The faith of the people in their free institutions should not be needlessly shaken. In particular is this true of the administration of justice, for the successful working of the judicial system is largely dependent upon popular confidence in the accuracy of its methods and the justice of its judgments. Nor should such criticism fail to distinguish between the inherent defects of a system and those evils which are caused by its maladministration.

It is my endeavor in these pages to show that much of the dissatis-

faction with the jury system results from a misapprehension of its theory and from the misapplication of that theory in practice.

All will agree that it is the duty of the State to provide tribunals for the punishment of crimes and for the final determination of private controversies between individuals. The accusation cannot be accepted as proof of the prisoner's guilt, nor can the statement of a claim by one individual against another be received as conclusive evidence of its validity. In each case there must be an inquiry by a tribunal before whom the respective parties can appear, to whom they can submit the evidence and the arguments on which they respectively rely, and who shall authoritatively decide the controversy. Such a tribunal would be absolutely perfect if it could be omniscient in its detection of wrong and falsehood, omnipresent and instant for the punishment of the guilty and the vindication of the injured, infallible in its judgments and unerringly just in its infliction of punishments. But no mortal tribunal can do more than approximate to these requisites, and, therefore, that system of judicial administration must be the best which is so constituted as to attain, in its practical operation, the most nearly to that ideal of justice.

There are certain requirements of justice so obviously true that they do not need to be vindicated by argument, and so essential to the liberty of the citizen that their presence or absence is, in itself, a conclusive test of the existence of free institutions. Those requirements are purity, impartiality and intelligence of administration, with as much rapidity of operation as is consistent with the attainment of a correct result. To that end every defendant accused of crime is entitled to due notice of the time and place of trial, to information of the precise charge against him, to a reasonable time in which to prepare his defense, to be confronted with the witnesses against him, to have full opportunity of testing, by cross-examination, the testimony of those witnesses, to have compulsory process for the production of witnesses on his behalf, and to be fully heard in his defense, at his option, either personally or by learned counsel of his own selection.

Every civil action and every criminal prosecution involve two questions: 1st. Of fact; did the defendant do or not do the act with whose commission or omission he is charged? 2d. Of law; is that act forbidden, and if so, what is the nature of the remedy to be given to the plaintiff or the punishment to be inflicted upon the defendant? It is clearly not necessary that these two questions should be determined at the same time, nor even by the same tribunal. On the

contrary, it may be, and often is, convenient to dispose of the question of law in the first instance. The defendant may say that, admitting for the sake of argument the fact that is charged against him, it yet does not constitute in the one case a crime at law, nor in the other case a subject of legal action by the plaintiff. That preliminary question can then be determined, resulting, if in favor of the defendant, in his discharge and the dismissal of the proceedings at that point, or, if adversely to him, settling the law as applicable to the facts, if they be found, upon subsequent inquiry, to be such as alleged against him. It is also clear that, while equally in either case the tribunal ought to act with integrity, and to that end must be guarded against corruption and the perturbing pressure of extraneous circumstances and undue influence brought to bear on behalf of either party, yet, as that question is of the one class or the other, different qualifications in the tribunal will be of greater or less importance in attaining a correct result. If the question be one of law, it is of chief importance that the tribunal have a competent knowledge of law and possess that trained judicial discretion which will enable it to correctly construe statutes, and to estimate the relative weight and value of conflicting authorities and precedents. If, on the other hand, the question be one of fact, it is more important that the tribunal should be so constituted as to bring to bear upon the subject that experience which can only be gained in the pursuits of active life, and should take as nearly as possible that plain common sense view of the matter which the parties to the controversy would be likely to take if they were not biased by their interest in the result. It is certain that, as an aid to the correct determination of a question of fact, a knowledge of law is of no use, except in so far as the study of the law as a science has developed the mind and enlarged its powers, but any advantage from that source is more than counterbalanced by the tendency of studious and contemplative minds to substitute an imaginary world, peopled with fictitious beings and animated by artificial motives, for the real world in which we live, and by the influence of professional, and especially judicial, training in the application of technical rules and in reasoning by analogy to cause an undue subordination of fact to theory.

Every thoughtful man, who reasons upon the facts which he encounters in his daily life, and who decides for himself what weight he ought to give to any one fact in the determination of a course of action, knows how difficult it is, under the most favorable circumstances, to exclude extraneous considerations, and to direct his atten-

tion only to those circumstances which logically and necessarily establish the existence of that fact. He knows also that it is much easier to put before the mind of another person the evidence for and against the existence of any particular fact, when that fact is to be acted upon by that other person, than to impartially weigh the evidence when that fact is to be the basis of his own action. So in the determination of questions of fact by a tribunal, those rules which determine what evidence is relevant and admissible and whether the evidence admitted, conceding its truth, is sufficient to prove the fact, can best be applied by a competent and independent authority whose action is not to be directly affected by the result of their application.

It will obviously conduce to the attainment of a correct result that an impartial authority, holding the scales of justice even between the contending parties, should put in plain terms before the body which is to determine the fact, the precise point at issue, should marshal in opposing array the relevant and material evidence upon the one side and the other, and should clearly and decidedly lay down the rules of law applicable to the case.

It is expedient that the decision of the tribunal as to the fact should not be final until it shall have been subjected to reëxamination and review by a superior authority, both as to the mode and manner of its action, the satisfactory character and sufficiency of the evidence on which that action is based, and the correct application made of the rules of law, and the revising authority should, in case of obvious error as to fact, remit the case to the tribunal of the first instance for retrial. The composite character of the tribunal, comprising both professional and lay elements, each with its defined province and separate functions, is, therefore, desirable for three reasons: first, because of the dual inquiry in every case, the finding of the fact and the application of the general rule of law to that fact when found; second, because of the control and supervision exercised by the professional over the lay element, the former not usurping the functions, nor invading the province of the latter, but authoritatively laying down the rule of law, clearly and impartially stating the fact for decision and the evidence pro and con, and granting a new trial in case of apparent error in the decision of the fact; and third, because of the obstacles to corruption interposed by the necessity of seducing, in order to secure a corrupt result, both the professional and lay constituents of the tribunal.

The lay portion of the tribunal, being essentially a deliberative and

not an executive body, there is an obvious advantage in constituting it of several members, so that the tribunal in its deliberations may have the benefit of their diverse faculties and of the different points of view from which each member may regard the question for determination. It is also desirable that the decision should be the result of an unanimous conclusion, for the reasons that any proposition upon which any given number of average men are agreed is more likely to be right than that other proposition upon which any lesser number of average men are agreed, and also because in order to secure a corrupt decision it becomes necessary to influence all the members of the tribunal, for one man resolute in the right can by his veto prevent a wrong decision.

A competent knowledge of law and a practical facility in its administration can only be gained by study, training and experience. That portion of the tribunal which is to pass upon the law must, therefore, be selected from the legal profession, and must, by its dignified station, its adequacy of compensation, and its security of tenure, be placed above suspicion and beyond the reach of corrupting influences, while independence, intelligence and purity in the lay portion of the tribunal can best be secured by the impartial selection, and timely publication of the names, of a panel taken from the great body of intelligent citizens, by the choice of the triers for each case by lot from that panel, and by the reservation to each of the contending parties of the right of rejecting as a trier any one who can be shown to be partial, or morally or intellectually incompetent. Their selection by an independent authority will, to a certain extent, guarantee the intelligence and character of the triers, the publication of the names of the panel will afford to the parties in causes to be tried before it an opportunity of examining the qualifications of the panel, and the uncertainty as to the triers who shall be chosen for any one case, and the right of challenge reserved to the parties, will interpose barriers to tyranny, fraud and corruption.

Here I pause. Reasoning abstractedly, I have shown that while it is not possible to attain to absolute perfection in the administration of human justice, yet, regarding the necessary character of the questions to be determined by litigation, the nearest approximation to ideal justice in the decision of controverted facts, is in practice most likely to be attained by a tribunal constituted *pro hac vice* of intelligent and impartial laymen, and presided over by a judge of adequate character, learning and experience. And this tribunal, as I have in general

terms described it, is that which the common law, in its wisdom, has provided in its system of trial by jury. Wherever and whenever that system has been honestly and intelligently applied, it has, not indeed been infallible in its determinations, nor has it achieved ideal justice, for it shares in that imperfection which is common to all institutions which are of human origin and operated by finite agencies, but it has in the vast majority of cases done substantial justice. Wherever and whenever that system has seemed to fail, it has so seemed because the judge has not been pure, learned and able, or because the jury has not been of average intelligence, or because the judge has not performed his proper functions, or has permitted the jury to disregard theirs.

I have, up to this point, argued in favor of the system upon principle only, and without reference to authority. But if history and precedent be appealed to, is not their verdict in its favor conclusive? Of feudal origin, but substantially as we know it in its modern form and character not of greater antiquity than the reign of Henry II., the jury system grew in strength with the development of the free institutions of England. Established by Magna Charta as the bulwark of liberty, it has been carried by English colonists to every quarter of the globe. In our country it was adopted in Colonial days. The royal approval of legislation depriving the people of the benefits of "trial by jury" was one of the grievances put forward in the Declaration of Independence as adequate causes of separation from Great Britain. The preservation of trial by jury has been guaranteed by the constitutions of a majority of the States, and by those amendments to the Constitution of the United States which were proposed in 1789 by the First Congress, and of which the Supreme Court of the United States said in 1866, "These securities for personal liberty thus embodied were such as wisdom and experience had demonstrated to be necessary for the protection of those accused of crime. And so strong was the sense of the country of their importance, and so jealous were the people lest these rights, highly prized, might be denied them by implication, that when the original constitution was proposed for adoption it encountered severe opposition, and, but for the belief that it would be so amended as to embrace them it would never have been ratified."

Sir William Blackstone, the great commentator upon the common law, after years of practical experience in the administration of the jury system as a judge of the King's Bench and the Common Pleas of England, characterized it as "the glory of the English law." Lord

Chancellor Campbell described it as "the best tribunal ever invented" for the decision of grave questions of fact upon conflicting testimony. Lord John Russell, taking a statesmanlike view of the subject, has said, "it is to trial by jury as much perhaps as even to representation that the people owe the share they have in the government of the country; it is to trial by jury also that the government mainly owes the attachment of the people to the laws." Alexander Hamilton said, in the *Federalist*, "for my own part the more the operation of the institution has fallen under my observation the more reason I have discovered for holding it in high estimation." Judge Story, whose learning, judicial experience and practical ability are beyond controversy, has written of the "inestimable privilege of a trial by jury in civil cases, a privilege scarcely inferior to that in criminal cases, which is accounted by all persons to be essential to political and civil liberty." I refrain from further quotations. If I were to attempt to place upon these pages all the encomiums upon trial by jury, both in civil and criminal cases, which have been uttered by great judges and teachers of the law, I should have to write, not an article, nor a book, but a library. Certain it is that to-day, both in England and in this country, the great majority of those who are engaged in the practical administration of justice believe that the system of trial by court and jury is, when fairly and intelligently operated, the best practical tribunal for the judicial determination of controverted facts.

And now, at this late stage of the world's history, and in this free country, it is gravely proposed to abolish that system in all cases, and to substitute for it "trial by judges." For reasons which have been heretofore indicated I contend that, as regards civil cases merely, that change would be a grave mistake, but as regards the trial of crimes I believe that the abolition of juries would, at no distant period, be followed by the abolition of liberty.

Are we to be deaf to the voice of history? Has the Star Chamber been forgotten? There was a tribunal exclusively constituted of judges, uncontaminated by the presence and untrammelled by the action of juries. That court has had its apologists and defenders. Sir Edward Coke eulogized it as "the most honorable court in the Christian world;" yet its pliability to the gratification of private malice, its subserviency to arbitrary power and its infliction of cruel and unusual punishments have made its name a synonym for all that, under the guise of judicial proceedings, is corrupt, unjust and tyrannical. Has it been forgotten that in 1637 the judges of the King's

Bench extrajudicially sustained the imposition of ship money? Has it been forgotten that in 1686 eleven of the twelve judges of England corruptly decided in favor of the King's dispensing power, and that, only two years later, a jury, disregarding the erroneous instructions of a majority of the judges of the King's Bench, acquitted the seven bishops? Has it been forgotten that in the State trials at the end of the last and the beginning of the present century English juries manfully resisted pressure from courtly judges, and acquitted prisoners indicted for treason, whose only crime was that they had agitated for parliamentary reform? Has it been forgotten that in 1735 a jury of citizens of New York struck the first blow for American liberty by their acquittal of John Peter Zenger, tried for the crime of commenting in his newspaper upon the Colonial Governor's abuse of the appointing power? Has it been forgotten that, but a few years ago, the government of the great city of New York was usurped by an insolent and unscrupulous political ring, which misappropriated the public revenues and placed its creatures upon the bench of justice? By an uprising of the people a great, yet peaceful, victory was won, and the ring was overthrown. The judges who had dragged their ermine in the mire were scourged as with rods from the judgment seat. The leader of the robber band was tried and convicted before a pure and fearless judge and an honest jury, and, after an unsuccessful flight from justice, he died in prison. Many of the lesser rascals obtained their just deserts. If I rightly remember the story, those corrupt judges found no jury-men to be their accomplices in wrong-doing, and their crimes were committed in the exercise of that equitable jurisdiction wherein, as we are now told, the parties "are much better assured of a righteous result than the parties to suits at law, where a jury trial may be had." If in those days of ring rule, when murmurs of discontent presaged the coming storm, trial by jury had been no longer the law of the land, and "trial by judges" had been substituted for it, how long would it have taken those corrupt judges to have indicted, tried and convicted their colleagues, who scorned to kiss the hem of the garments of the ring? How many reformers would have been permitted to talk or act outside the precincts of the jails? Of course, the people would have revolted. Men of Anglo-Saxon or of Holland blood do not tamely submit to oppression. Sooner or later the ring would have been overthrown; but at what cost? Bullets would have been used instead of ballots, blood would have flowed like water, and valuable lives would have been spent in the struggle. In those evil days trial by jury was,

as it always has been and always will be, an active, yet conservative, force, all powerful for liberty, all powerful against tyranny.

It cannot be too strenuously insisted upon, that while the great excellence of trial by judge and jury is, as regards civil cases only, in its superiority as a machine for the determination of the truth of controverted facts, and, as regards criminal cases only, in its resistance to governmental pressure, yet as regards both classes of cases the pre-eminent advantage of the system, as contrasted with trial by judges only, is in its greater certainty of securing a pure administration of justice. It is to be said, to the honor of the profession of the law, that instances of judicial malfeasance in office have been few and far between. Some judges, invested with untrammelled judicial discretion, have been tempted and have fallen. The splendid intellect of Lord Chancellor Bacon did not avail to save him. At a later day Lord Chancellor Macclesfield was detected in selling justice. In our own country, and in our own time, some judges have, by resignation in avoidance of impeachment, confessed their guilt, and other judges have been convicted and removed. So also individual jurors have been bribed, and therefrom fraudulent disagreements and mistrials have resulted, but there has never been a case of the entry by a judge of a corrupt judgment upon a verdict of a jury obtained by corrupt means. The dual composition of the tribunal has invariably prevented such an affirmatively corrupt result.

As it is not good husbandry to cut down a tree because remediable disease has diminished its fruit-bearing capacity, and as it is not good surgery to amputate a limb because the patient refuses to make the proper use of it, so it is not true reform to abolish an inherently sound system of administration because, when unskillfully operated, it does not produce an absolutely perfect result. On the other hand, it is true reform to take measures to secure in practice the most faithful and intelligent operation of the system.

If the judge who presides over the trial be intelligent, courageous, of sufficient decision of character, and, in one word, competent, he will, by the application of the rules of evidence, prevent the minds of the jury from being diverted from the true point of inquiry, he will submit questions to them only upon adequate proof, and he will, in his charge, put clearly and unmistakably before them the precise question of fact which it is their province to determine, and by his instructions upon the law of the case, conveyed in clear terms, and laid down with firmness and decision, he will prevent them from being swayed by

extraneous circumstances, and from misapprehending either the question in the case, the evidence relevant to it, or the rules of law controlling their decision, and if the jury should fail to obey his ruling as to the law, or should decide against the evidence, he will, by the granting of a new trial, prevent injustice. On the other hand, a judge, however honest in intention, who talks and does not listen, who yields to preconceived views of the testimony of witnesses, or the arguments of counsel, who is vacillating and indecisive in his determinations upon questions of evidence, who either does not take clear views of the law applicable to the case, or fails to impress upon the jury, with force and energy, the law which they must apply, is a serious obstruction to the administration of justice. Such judges are responsible for much of the present dissatisfaction with trial by jury. So also is it essential that the jurors be impartial, biased neither by relation to the parties, by interest in the result of the contest, nor by prejudice, and that they should be of at least average intelligence. There is no magic in the jury box to dissipate the mists of prejudice, nor to convert ignorance into knowledge, nor stupidity into sense. Men whose brains scarcely avail for the performance of the instinctive functions of their nature, and whose intelligence is not sufficient to elevate them to the level of the brute creation, cannot be expected to decide correctly questions of fact, either simple or complicated. The too common failure to obtain satisfactory jurors, results, in some degree, from the inadequacy of existing legal methods to secure the selection, with due discrimination, of those persons who are to constitute the panel, but, in a greater degree, from the refusal of competent persons to serve as jurors. No citizen, disqualified by want of character or intellect, has any greater right to sit as a juror than every citizen has to be admitted to the bar without examination, or every lawyer has to be made a judge. In the judicial, equally with the political, administration of the country, the abnegation by intelligent men of their public duties is hurtful to the community. The needed reforms in the jury system, therefore, are the nomination for the panel of citizens of character and of not less than average intelligence, and second, a pressure of public opinion and a firmness of judicial refusal to excuse without adequate cause, which will secure the services of competent citizens when called to do duty as jurors.

I cannot more fittingly conclude this article than by the quotation of that passage wherein Blackstone says of trial by jury: "It is, therefore, upon the whole, a duty which every man owes to his country, his

friends, his posterity and himself, to maintain to the utmost of his power this valuable constitution in all its rights; to restore it to its ancient dignity if at all impaired, * * * * * to amend it wherever it is defective; and, above all, to guard with the most jealous circumspection against the introduction of new and arbitrary methods of trial which, under a variety of plausible pretences, may in time imperceptibly undermine this best preservative of English liberty."

CHRISTOPHER STUART PATTERSON.

OUR FUTURE BANKING SYSTEM.

MANY clearly see that the end of our national banking system is not very far off. The United States is astounding most of the nations of the earth by paying its debts instead of increasing them. The doctrine that a public debt is a public blessing has never taken secure root on our soil. The owners of the debt are the only hearty believers in this doctrine. Happily they form only a small class, and, unlike the owners of the French debt, are not powerful enough to maintain high rates of interest exclusively for their benefit. Nor do we believe that they are sufficiently powerful to get control of Congress and arrest the present policy of debt-paying. To pay principal is a much more cheerful thing than to pay interest, and the owners of our national debt seem to have forgotten the possibility of the people getting tired of doing the latter and of ultimately declining to do either. The best and easiest time to pay a public debt is when the people are in the mood for doing it, whatever may be their economic condition. The American people are in this mood to-day, and a great calamity is sure to befall this nation should the present policy be changed and debt-paying cease.

We have heard persons say that the debt ought to be perpetuated in order to preserve the foundation of our present national banking system. Those who say this vividly remember the great sufferings and losses sustained under the former systems of State banking. Superior as the present system is to every other tried in this country, \$50,000,000 a year in the way of interest on the public debt is an enormous price to pay for preserving it. The sum is altogether too great.

A change, therefore, must come, and this is so evident that already several substitutes for the present system have been laid before the public. One of these is by Mr. Coe, president of the American Exchange Bank, of New York, and was set forth by him in a paper read at the Convention of the American Bankers' Association, at Saratoga, in 1881. After stating the important features of the existing system, which he declared to be "reasonable, practicable and just," and which might "all be preserved in a national law, as necessary to any substantial system," except the first feature, which relates to the pledge of bonds as security for circulating notes, he added :

"In place of the security now required the circulating notes may be limited to a sum equal to one-half or three-fourths the cash capital paid in ; be made a preferred debt in case of failure, and carry interest at an extra rate for every day's delay that they are not redeemed in coin, after presentation at the home or central office, with the prohibition of any circulating notes in the United States not embraced within these regulations."

These restrictions he was confident would afford perfect security to the public, and were sufficiently severe to prevent any dangerous expansion of paper money. In making the note-holder a preferred creditor the capital and assets of a bank would be substantially pledged as they are at present for its circulating notes, but the institution meantime might be free to employ them at its own discretion for business purposes, controlled and admonished by the ceaseless requirements of the central coin redemption. Thus would the whole power of the bank be restricted to make such commercial uses as would keep the entire fund in constant, useful and healthful activity, and give to the country a currency representing and keeping pace with its moving industries so perfectly that in the very nature of things it would always provide for its own redemption.

Admitting that the capital paid in the beginning possessed a real value, and that it was kept unimpaired, we do not see why Mr. Coe's plan would not meet the two essential conditions of sound banking—the immediate convertibility of its notes and a proper restriction on their amount, so far as each bank was concerned. But what is meant by "cash capital?" Does Mr. Coe mean coin, or does he mean the notes of other banks, which, supposing the national banks not to be in existence, might be of inferior value. Or does he mean railroad or other bonds which might be regarded as equivalent to cash? Even if cash were paid in the first instance he would doubtless invest in secu-

rities of some kind, so that after all the security of the notes issued by a bank would depend on the value of its capital. It will be readily seen, therefore, that the note-holder might be secure, and he might not. If the capital of a bank consisted of first mortgage bonds of the New York Central Railroad Company, of course the security would be ample; but if it consisted of income bonds of the Reading Railroad the security would be poor indeed. In any event Mr. Coe fixes no limit to the aggregate amount of notes which might be issued. There might be five hundred millions, or twice that amount, if his plan were adopted.

Last September Mr. Coe delivered the opening address at the Convention of the American Bankers' Association, and he then expressed somewhat different views, if we understand them, from those already given. Having set forth in an admirable manner the functions performed by bankers, he declared that if his exposition were correct it resolved many of the vexed questions respecting paper money.

"Coming through the channels that commerce itself creates I believe that such a currency can be provided and be sufficiently protected by the true and only security which the country possesses, viz.: its own property and productions running concurrently with the paper it represents. This is all that ever gives stability and value to national, state or municipal debts, only to redeem them it is not thus naturally allied. Thus would it be made at the place where, and at the time when, existing products are to be moved, would coincide with them in amount, and it would be redeemed and retired by the proceeds of those products after they have reached the market and have been converted into money value. Quantity would be regulated by the property conveyed, and quality secured by the fact that redemption and withdrawal would be rigorously exacted by the facilities and competitions of modern business. I appeal to you all to say whether it would not, like all other and larger forms of commercial obligations, regularly proceed by a law within itself, following the law of nature."

By this plan Mr. Coe proposes to base a bank currency on "property and productions running concurrently with the paper they represent." This plan we believe to be radically unsound. It has already been thoroughly tried, and its unsoundness has been clearly demonstrated. When the Bank of England resumed specie payments in 1821, it was left free to issue its notes, though always amply providing for their redemption whenever they should be presented. During the twenty-three succeeding years the solvency of the bank was never

questioned, its notes were always redeemable, yet too often it unwittingly originated serious derangements of the currency, and thereby caused vast loss and sometimes ruin to business. Wherein did the bank err? In issuing notes it proceeded on essentially the same principle as that now advocated by Mr. Coe. By the testimony taken by the Bullion Committee in 1810, it was clearly shown that all the directors of the bank believed, and so did many of the merchants who were examined, that there could not be an excess of bank paper so long as it was issued on the discount of good bills, growing out of real commercial transactions and having but short periods to run. The bank-notes, said the directors, would return if not required, because no one would pay interest for them if they did not wish to make use of them. This idea prevailed for a long time, that so long as the bank issues were based on sound mercantile transactions, such as Mr. Coe has in mind, and the notes were always redeemable, there was no danger of an over-issue, or a derangement of the currency attending such a course.

And yet it was most clearly learned, after much suffering, that though the notes were based on perfectly sound mercantile transactions, and were always redeemable, they could be issued in excess, and were thus issued, and that very disastrous consequences followed. One of the first persons to see clearly the error in the policy of the bank was Lord Overstone, and we cannot do better than to let him tell wherein it lay and the evil consequences from not understanding the true principle which ought to have governed the bank in issuing its notes :

“Security for the ultimate solvency of those who issue paper money is confounded with, and conceived to be the same thing as, security for the due regulation of the amount of that paper money—a fallacy very prevalent, and from which the most erroneous views arise. Insolvency on the part of an issuer affects the specific holders of the notes of that issuer, and those only ; but improper fluctuations in the amount of the paper issues affects the whole community in common ; they disturb to a greater or less extent the steadiness of prices and the regular movements of trade, and they tend to derange the equilibrium of exchange with other countries. The former evil is local and partial, the latter is general, affecting the whole country and every individual in it.”

If Mr. Coe's plan were adopted, when the excess of issues became very great they would be presented for redemption, but not in the

beginning. A bank might issue notes to an enormous amount, prices would rise, and after a time the notes would return for redemption. Then the bank would find out that it had issued too many, it would stop issuing them, prices would fall, and the equilibrium would be restored. It is no doubt true, therefore, by Mr. Coe's plan the volume of bank-notes may be ultimately confined within a certain limit; but in a perfect system of bank-note issuing a check is needed which shall prevent the issue of too many notes in the beginning. A system is needed which can regulate the issue of notes at less cost and injury to business than by a large rise and fall of prices. Mr. Coe's plan is precisely the same as that which formed the Bank of England system before 1844. The error in the plan is that the notes will not be presented for redemption until the excess has become very large—until the mischief has reached a great height. A perfect system of note-issuing is one which shall prevent an excess of issues from flowing out.¹

When the bill for extending the national bank charters was under discussion in the House last May, Mr. Abram S. Hewitt, of New York, presented a plan which he called "a crude suggestion," which is worth laying before our readers, for it fulfills very perfectly, we think, one of the two most important conditions of a sound banking system.

"I would deliver to banks 90 per cent. in circulating notes on the amount of their capital. I would make the notes of the bank a first lien on the assets of the bank. Secondly—I would make the stockholders, as they now are, personally liable for 100 per cent. in addition to the capital of the bank, and make the notes of the bank a first lien upon this amount. Now, I have at least under this arrangement 200 per cent. behind the notes. Thirdly—I would compel the banks to put a redemption fund of 10 per cent. in coin into the hands of the Treasurer of the United States. Taking the present capital of the banks, \$360,000,000, that would put \$36,000,000 of coin as a redemption fund in the hands of the Treasurer. Lastly—I would make the banks as a whole guarantee the circulation of each individual bank. I would make the whole \$360,000,000 of bank capital, with the right to call \$360,000,000 more if necessary, a guarantee for the redemption of the notes."

This would certainly furnish an adequate fund to redeem the notes

¹ The defects in the Bank of England system, which were remedied by the act of 1844, are very lucidly set forth in a recent work, entitled "Money," by George M. Weston, which merits careful reading, especially by all who are infected with the error, as it seems to us, maintained by Mr. Coe.

issued by banks, but while providing for their redemption Mr. Hewitt says nothing about regulating their amount. Admirable as his plan is, so far as he has worked it out, he does not touch a question equally, if not more, important than the redemption of the notes issued by banking institutions. What mode he would have devised for regulating bank issues we do not know; but, considering how well he solved the question of protecting them, we regret that he did not give a more complete exposition of his views on the subject.

We must, then, seek further to find a system which shall cover both essentials—the convertibility of the bank-note into coin and the regulation of the quantity that may be issued. We should no longer be deluded with the notion that by providing perfectly for the convertibility of the bank-note we have completed the backbone of a perfect system. Let any one read the history of the Bank of England, and he must be convinced of this fact. The banking history of our own country previous to 1860 teaches the same lesson. There is a marked difference, however, between studying the banking history of our country and that of our kindred across the sea, for during the period of their sufferings they were earnestly trying to discover the cause of their troubles, and, having found out what it was, they told the world all about it in such plain words that all who read can understand. A remedy was then applied which has proved most effective, as all admit. Its efficacy is one of the proofs of the correctness of the diagnosis, and hence it is more profitable to study their experience than ours, because we have never investigated the effects of our experiments of bank-note issuing with anything like the same patience and ability.

But if no one has yet devised a good substitute for the national banking system, is it not clear from what has been said that we are already in sight of it? If the present system of issuing bank-notes in Great Britain works perfectly, why would it not work equally well in this country? Briefly, what is the system established in Great Britain by the act of 1844? Simply that £14,000,000 or \$70,000,000 of notes are issued on the pledge of a similar amount of Government securities, and for every additional note issued the coin it represents must be deposited in the issue department of the bank. The sum of £14,000,000 was fixed as the smallest figure to which the paper circulation was ever likely to go, that is to say, if ever a general redemption or contraction of the circulation should occur, it was highly probable to come to an end before the amount of notes had fallen below

that point. When the Bank of Berlin was reorganized into the Imperial Bank of Germany, in 1872, the banking and currency systems of the world were carefully studied with that thoroughness for which the Germans are so justly noted. With a few modifications, and which we think are improvements, the English system was adopted. It has also been adopted by the Scandinavian nations and by Austria-Hungary in reorganizing the national bank of that empire.

Why is not this system, so thoroughly tried by many countries, a good one for us to adopt; only, instead of organizing a great national bank to issue notes, why not let the Government do this without the employment of any other agency? What objections can be raised to the Government issuing notes for the smallest amount that is ever likely to be needed, and to keeping coin, dollar for dollar, as a security for all notes issued beyond that amount?

We will at once proceed to consider some of them. First, it may be objected that such notes would be a perpetuation of the legal tender paper money issued by the Government. This difficulty may be removed by declaring them to be simply treasury notes circulating only by the voluntary consent of the people. They would circulate just as readily as legal tender notes do now, in our opinion. This comes to the same thing as saying that if the Supreme Court of the United States should decide to-morrow that the legal tender act was unconstitutional, the circulation of the notes would not be impaired. No one would thereafter be compelled to take them, but their value would not be lessened. Would not the security of the notes be ample? They have been perfectly secure in every other country where issued; why would they not be in this? Issued on the same conditions—a safe limit for the amount to be issued without coin behind it, and an equal amount of coin for all the notes issued in excess of the fixed sum—what system of note-issuing could be safer for note-holders?

It may be objected, have you not by such a system a fixed issue? Yes, essentially, and that is necessary to make the notes safe. There is room for proper expansion, however, as we shall soon show. Mr. Coe proposes no check to the aggregate amount that may be issued, but if his system were adopted he would pave the way by the free, unlimited creation of bank-notes, first, for an expansion of prices, and then a contraction of them, by which operation all legitimate business would be ground to powder. The more notes the banks issue the greater is the demand for them, prices rise, and the demand for still further notes is stimulated; then liquidation begins, specie is wanted for

export, or because the note-holders distrust the ability of the banks to pay their notes, contraction of the circulation sets in, prices fall, merchants fail, and the collapse is complete. When this circle has been described then the volume of notes has been regulated; but at what an enormous cost! Such is the plainest teaching of foreign and American banking, and a repetition of the former experiments with respect to issuing notes will inevitably produce the same results, save that with our more highly organized machinery for banking and effecting exchanges the results would follow more quickly, and probably be more disastrous.

In regard to increasing the amount, this can be done in two ways. One, of course, is by the deposit of coin, the other by adding to the fixed amount a sum equal to the average annual increase of the currency during the last ten years. For example, the total circulation in the country in 1870 was \$700,375,899, and this sum was augmented to \$735,522,950 in 1880. The average annual increase, therefore, was, say \$3,500,000. This sum could be added annually during the next ten years, and at the end of that time a new calculation might be made, for the increase would be somewhat changed by the issue of notes against deposits and the amount of specie in circulation belonging to the banks and the people. Such a readjustment presents no serious practical difficulties, and there would be a more healthful growth to the circulation than we have at present by the constant retiring and pushing out of bank-note circulation and other transactions of the Government affecting the present system.

How much safer would such an expansion be than one based on crops, which might be very large this year and very small the next? How rapid would have been the contraction in 1881, for example, when crops were light, had Mr. Coe's system been at work, and operating in the way he says it ought to operate. It may be added, too, that Mr. Coe puts up no barrier against issuing notes on the basis of stocks and other paper. He says he would limit the circulation to "property and produce." Does he mean by property stocks? If he does, the floodgates are opened for feeding the hellish fires of speculation as they have never yet been fed from any source; but if he does not propose to issue notes on stocks, bonds and the like, what barriers would he erect to prevent banks from doing this?

Again, it may be asked what is to be done when monetary panics overtake us—when personal credit is suddenly snuffed out and the demand for money is enormously increased? Under the English

system no provision is made for such events, but three times the legal limit of issue has been exceeded in violation of law. The charter of the Imperial Bank of Germany contains a very effective provision regulating the issue of notes on such occasions. They can be issued, but the bank must pay a heavy tax to the Government for issuing them—so heavy that it will endeavor to retire the excess at the earliest day. This feature could be introduced here, and the Treasury Department, under proper safeguards with respect to existing security, could be empowered to issue notes in excess of the ordinary limit during a panic, and to retire them as soon as the occasion for issuing them had passed away.

We have space to consider only one other point, namely, what would become of the national bank issues if such a system were adopted?

In the first place, many of the banks would retire their issues, and as they did the Government would fill the vacancy thus caused with its notes. Many of them are issuing notes to-day more to accommodate their customers than for the profit to be received. In the larger cities especially is this the case. Although the aggregate capital of the New York city banks on the first of November last was \$65,000,000, their aggregate issue of notes at that date was only \$18,000,000. In Boston and Philadelphia the proportion of notes to capital is larger, but even in those cities the banks do not hold on very tenaciously to their circulation. They depend on their deposits rather than on their circulation for gains.

All the banks should be allowed to retain the full amount of their circulation existing at the time of adopting the system as long as they desired, or while their bonds were unpaid; but as these were called, of course they would be required to retire their circulation; nor would there be any injustice in forbidding them to buy more bonds for the purpose of taking out other notes. Perhaps it would be a wise policy for the Government to offer to buy some or all of the bonds held by the banks, especially the 4 per cents., both to redeem them and to get the bank circulation. One can readily see what a great economy could be effected by the operation. For example, a bank has \$100,000 of the 4s. Suppose the Government offered \$120,000 for them. Of this sum the Government would retain enough to pay the outstanding notes of the bank when they should be presented, and pay the bank the balance. Such an arrangement would be beneficial both to the bank and to the Government, and the latter could

well afford to pay a good price for the bonds in order to redeem them in such a manner. A very large saving would be effected.

In any event, the rights of the banks should be strictly observed, and in substituting a Government circulation for theirs the change should be made with a due regard for the interests of business.

Such are the chief outlines of a plan which, in our opinion, is worthy of consideration. Nothing new, it will be seen, is proposed; we have simply described a plan for adoption by the United States which has been in long and successful operation in other countries. Its great merits are universally known; no one in England to-day hints at the desirability of abandoning it.

The system may be thus summarized: First—It would furnish just as safe a currency as is furnished by the present system. Secondly—It would provide for the yearly increase of the currency to meet the growing wants of the country, for which the present system does not provide. Thirdly—The currency would be entirely free from those contractions and expansions occasioned by the retiring and issuing of new currency by banks. Fourthly—The people would always know the amount of the currency and what the future increase would be. There would be no danger from the withdrawal of circulation; no danger from an undue expansion. Fifthly—The debt could be very considerably reduced were this system adopted. Lastly—The way would be prepared for the better ordering of the money in the Treasury. The amount to be kept to secure the circulation would be exactly known, and separated from other public moneys. No money would be longer held to reimburse note-holders, or insolvent banks, or as security for bank circulation in any form. The public money would be held for two purposes only—to pay the funded debt of the Government and the ordinary expenditures. Thus released from keeping all trust funds, there would be no need of retaining so much money in the Treasury; the demands on it would be clearly known, and therefore exact provision could be made for paying them, while the balance could be applied in discharging the debt, and so at all times could the Treasury be kept free from unnecessary accumulations. Under such a system the worst evils attending the present mode of keeping the public deposits would disappear.

ALBERT S. BOLLES.

THE DIVINE LAW OF DIVORCE.

THE history of the human race, briefly phrased, is the advancement from slavery to liberty; the progress from spiritual and mental as well as from physical bondage; from the thralldom of creeds which priests have imposed as well as from the shackles which despots have welded. Chattel slavery has either been abolished in the countries where it existed, or is undergoing the slow process of extinction where it remains, and the heat of the warfare against it has in a measure abated; but between the opposing forces, representing on the one hand the freedom and on the other the subordination of thought and action, the "irrepressible conflict" still goes on. The advance that has been made in the direction of progress has been necessarily slow. Inch by inch, through ages of conflict, the ground has been won; one by one the enemy's outposts have been stormed, and persecution for opinion's sake now only remains as a subject to be dealt with by the historian.

It is the part of wise generalship not to leave the forts and strongholds intact along the frontier of the territory that has been conquered. These, if not held and occupied, are to be destroyed or dismantled, that the enemy may have no opportunity to reënter and make them the base for future aggressions.

One of the citadels of priestcraft, indeed one of its very bastiles, by the strength of which it gained and for so long a time retained its ascendancy over the masses, still remains, its walls intact, its banners and ensigns still defiantly flaunting. This menacing bastile of priestly supremacy is indissoluble marriage.

Before entering upon the main argument of this article it is essential that the origin and definition of marriage should be considered and correctly understood.

In the rude and barbarous ages of antiquity mankind had attained to no idea of matrimony, and had established no laws or rules regarding the relations of the sexes. Even among the Israelites, before the Mosaic code was given, according to the testimony of their rabbins, a woman who was neither betrothed nor married might bestow her favors, either gratis or for reward, upon whom she pleased without incurring the least scandal, or confining herself exclusively to him. But it must soon have been discovered that the preservation and propagation of the species could not successfully be carried on unless some

restriction should be imposed compelling the women to confine their intimacies for a time exclusively to one man. That a similar regulation was not made imposing an equal obligation on the men, to confine their relations each exclusively to one woman, was because that, viewed from the standpoint of propagating and preserving the species, such a regulation was unnecessary. Thus men appropriated women for their own exclusive use, as they appropriated land from the same motives; and as their number of acres and herds increased so did the number of their wives. In Moses' record of the patriarchal ages down to his own we find no trace nor the least hint of any marriage ceremony. When men wanted wives they "took" them (Moses himself took several), and sent them away when the relation no longer proved satisfactory.

As populations increased the incitements to marital infidelity were found to increase also, and more strict measures were deemed necessary, both to secure conjugal faithfulness on the part of married women and to protect them from licentious assaults. Hence arose the custom of marriage ceremonies, attended by more or less pomp and solemnity and exaction of promises to faithfulness. The purpose and results were to augment the power of the husband over the wife and give him a greater security for her good behavior.

But not until a long period subsequent to the time of Christ had the Jews progressed farther than by simply binding the parties by a contract. There were, according to the Talmud writer, three ways of betrothing: the first, by written contract; the second, by a verbal agreement, ratified by some gift to the bride; and the third, by the parties coming together and living as husband and wife without any preliminaries whatever. In Asia, where the human race had its origin, and where the majority of the world's population still remain, tribes and nations are now to be found whose marriage institutions survive in this simple form. Among the Kalmuc Tartars, a young couple, agreeing among themselves, retire for one year as husband and wife. If, during that time, a child has been born, or is in prospect, they remain together, otherwise they make trial for another year or agree to separate.

It has been common in Christian countries to use the terms indissoluble marriage and Christian marriage interchangeably. Upon this point we take issue. The passage exclusively relied upon to make Christ responsible for the indissoluble marriage doctrine is that in Matthew v., 32: "Whosoever putteth away his wife, save for the cause

of fornication, causeth her to commit adultery; and whosoever shall marry her that is divorced, committeth adultery." It will not, we apprehend, be seriously denied that Christ formulated many ideal rather than practical rules of conduct which he never intended should be embodied in statutory enactments, and which he addressed to the individual conscience alone. He who insists on a strictly literal rendering and compliance with this precept will find himself confronted by a conclusion that he had not looked for. The first question that arises is: What is adultery? Fortunately we are not left in doubt for want of an authoritative definition. Christ, in this immediate connection, has given one. He who looketh upon a woman with lustful thoughts thus commits adultery. Our strict constructionist friends certainly will not dissent from this, or question the authority. Yet Christ allows adultery to be a just cause for divorce, and, accepting his own definition of that offense, this is all that the most strenuous advocates of more liberal divorce laws would ask. For certainly, when a man's love and desires go forth to women other than to her whom the law decrees shall be the sole recipient of them, the contract does not fulfill the end for which it was made, and it is time that it should be annulled. To be logically consistent, he who believes in the strict compliance with the letter of the precept must also accept this conclusion. But, believing with the apostle that the letter killeth while the spirit maketh alive, we are inclined rather to accept it according to its spirit. Christ, also, on this same occasion, commanded his hearers to be perfect even as God is perfect, an injunction which he knew to be impossible for them literally to comply with. He also forbade the taking of an oath upon any occasion. But who, outside of the Society of Friends, interprets this to prohibit the swearing of witnesses in courts of justice? He enjoined the duty of not resisting evil; to give your coat, also, to the robber who despoils you of your cloak. Did he mean a literal compliance with these and other precepts equally antagonistic to human nature? Or did he, by the use of this strong language, design to make unmistakably emphatic the duty of men to do the right to the extent of their wisdom to see and strength to perform?

But we are not left to grope in this matter by the light of our unaided reason. Paul, the apostle, of all others especially commissioned to explain Christ's precepts, has left on record some teachings in this matter of marriage and divorce, which, like the other scriptures, are profitable for doctrine and instruction in righteousness. "If," said he,

"the unbelieving depart, let him depart; a brother or a sister is not bound in such cases."—I. Cor., vii., 15. Here the apostle allows a difference in religious belief to be a just cause for divorce, though doubtless he would restrict the application to cases where such difference was an element of domestic discord. The testimony of so eminent an authority as Paul on this matter ought to be conclusive. But should cumulative testimony be called for, it can readily be supplied from teachers whose authority, at least in orthodox Protestant circles, will not be questioned. Luther, the founder of Protestant Christianity, in his own emphatic style, thus writes concerning a case of desertion of the husband by the wife: "Since a certain preacher's wife has dealt so dishonorably with him, I cannot make his rights longer nor shorter than God hath done, who, through St. Paul, in such cases, pronounces the following decision: 'If the unbelieving depart, let him depart; the brother or sister is not bound in such cases.' So say I, too; whoever will not stay, let him be off. The other party is not bound to stay unmarried, as I in a little book on that chapter have written more at large, to which I refer you. If, then, he cannot remain without a wife, let him wed another, in God's name, because this woman will not be his wife." In further elucidation of this matter Luther writes, "We may find an obstinate woman who stiffens her neck, and if a husband should fall ten times into unchastity, cares nothing about it. Here it is time for a man to say, 'If you won't another can be found that will.' If the wife will not, let the maid come. If she will not, let her be gone, and procure an Esther for yourself, and let Vashti be off, as Ahaseuris did."¹ Calvin, Beza, Zwingli, Melancthon, Cruciger, and the other reformers contemporary with Luther, were in accord with him on this matter. Zwingli would leave the decision entirely with the magistrates who listened to the evidence, and deemed cruelty, insanity and disease, to be sufficient causes for divorce. Calvin and Beza included desertion for one year, granting the right to marry again; and among the fathers, Justin, Chrysostom and Eusebius may be cited to substantially the same effect.

The ecstasies of truly wedded souls have never been sung in happier strains than by Milton in his incomparable poem, "Paradise Lost." No one has ever accused John Milton of a design to lay sacrilegious hands on the divine ordinances. His pen was mainly consecrated to the work of justifying the ways of God to men. But indissoluble mar-

¹ Luther's Works, Walsh's Edition, vol. x.

riage he deemed a perversion, and in no sense a justification of the divine ways. He writes in this wise concerning it :

A civil, an indifferent, a sometime dissuaded law of marriage must be forced upon us to fulfill not only without charity, but against her. * * * No covenant whatever obliges against its own end and that of the parties consenting. Love in marriage cannot live unless it be mutual, and where love cannot be there can be left nothing of wedlock but the empty husks of an outside matrimony, as undelightful and unpleasing to God as any other kind of hypocrisy. * * * If any two be once handed in the church, and have tasted in any sort the nuptial bed, let them find themselves never so mistaken in their dispositions through any error, concealment or misadvantage that, through their different tempers, thoughts and constitutions, they can neither be to one another a remedy against loneliness nor live in any union or contentment all their days, yet they shall be made, in spite of antipathy, to fadge together and combine as best they may, to their unspeakable weariness and despair of all social delight in the ordinance which God established to that very end. ¹

Having thus, as we think, conclusively shown that indissoluble marriage is not in accord with Christian doctrine, and consequently is not a "Christian institution," we come to that other priestly-devised and consecrated phrase, the "Divine Institution of Marriage."

Why *divine* institution? Where is the Scripture ordinance of indissoluble marriage? No promise, no rite, no ceremony of any kind is prescribed by Moses or any other Scripture writer. The text in Genesis is sometimes adduced: "Therefore shall a man leave his father and mother and cleave to his wife." But where is the element of indissolubility here? Adopting the theologians' own method of interpreting Scripture by Scripture and explaining the Old Testament by the New, we need only read this text in connection with Paul's precept: "If the unbelieving depart, let him depart."

But although we find no divine institution of marriage, so far as any solemnizing rite or ceremony is concerned, we do find a divine institution of divorce. Let the objector consider a moment before he pleads that the divine law was established by Moses, and was not voiced by God on Mount Sinai or written by his finger on the tables of stone. Moses established the law, the prophets recognized and acted upon it, and the apostles approved and reiterated it. Moses, the prophets and the apostles were either inspired or they were not. Is the objector prepared to say that they were not? He must do this or grasp the other horn of the dilemma, and thus acknowledge the institution of divorce to be divine. This divine institution was very simple in its operation. No ceremony further than the giving of a "writing" by the husband to his wife was required, and for this writing there was not even a prescribed form. It might be in few or many words. Doubtless in most

¹ J. Milton.

cases it was a statement of the husband that he relinquished all matrimonial claims to the woman, and that she was free to marry any one else, much in the nature of a "character" which the cook or chambermaid receives from her last mistress to help her to secure a new employer. It could not have been a document containing any disparaging assertions respecting her, for it was designed for her protection and benefit, and was never given where any serious offence had been committed, like that of adultery, for which the punishment was death. We know from the writings of Jewish rabbins and historians that the most trivial causes, including mere dislike or dissatisfaction, were valid reasons for a divorce. The language of the law establishing the divine institution of divorce is perfectly in consonance with this interpretation: "And thou shalt be her husband and she shall be thy wife. And it shall be if thou *have no delight* in her, then thou shalt let her go whither she will."—Deut. xxi., 13-14. "When a man hath taken a wife, and married her, and it come to pass that *she find no favor* in his eyes, because he hath found some uncleanness in her, then let him write her a bill of divorcement and give it in her hand, and send her out of his house; and when she is departed out of his house she may go and be another man's wife."—Deut. xxiv., 1-2. We are informed by the most learned Jewish rabbins, including Hillel, that the "uncleanness" meant nothing more than untidiness or slovenliness. That it could not have been a capital offense, like adultery, is evident. One rabbin tells us that the spoiling by a wife of her husband's dinner in cooking was sometimes the occasion of a divorce; and the statement is made by another that a husband might give his wife a bill of divorce if he met with a woman who looked handsomer to him or in any way pleased him better.

Not only did this loose system of divorce prevail among the Jews, but among the Greeks, Romans and other contemporary nations. A mere fancy for a younger, a handsomer or a wealthier woman was often the basis of a divorce. Josephus frankly tells us that of his three wives he put two of them away, one for the reason that he "did not like her character," and for divorcing the other he assigns no reason whatever. Cicero put away his wife Terentia for no offense on her part, but simply that he might marry the young and wealthy Publilia, and be thus enabled to pay his debts out of the property she brought him. In Athens all that was necessary to a divorce was that both parties should be agreed to it, when the wife returned to her relatives. Among the later Greeks of the Macedonian periods "marriage came

to be regarded as only a convenience or an evil." ¹ Either party seems to have been free to leave the other at any time for any cause whatever, though suits might follow where the parties were not agreed.

But it will be urged that Moses, on account of the "hardness of their hearts," established liberal divorce regulations. This is but a plain admission that, like a prudent legislator, he adapted his laws to the necessities of his people. If such a course was wise then, why should it be less wise now? The people of to-day are as sensitive and as restive under any restriction of their personal liberty as they were then, or at any time before or since.

It is a fact worthy of the consideration of moral philanthropists that in proportion as divorce laws are stringent immorality abounds. South Carolina has no law permitting divorce for any cause whatever, unless it be a quite recent enactment. President Woolsey, in his book previously quoted from, thus writes concerning this State: "As a slave State it has winked at concubinage, and the white wife had often to endure the infidelity of her husband as something inevitable, which no law could remedy and public opinion did not severely rebuke." Mr. Joel P. Bishop thus writes: "Not only is adultery not indictable there, but the Legislature has found it necessary to regulate by statute law how large a proportion of his property a married man may give to a concubine." Still further in confirmation of these statements, Judge Nott, one of South Carolina's own eminent sons, says: "In this State, where divorces have not been allowed for any cause whatever, we sometimes see men of excellent character unfortunate in their marriages, and virtuous women abandoned or driven away homeless by their husbands, who would be doomed to celibacy and solitude did they not form connections not allowed by law."

The examples afforded by France and Italy are almost too familiar to need citation. The laws of neither of these countries permit divorce for any cause. "Matrimony in France does not subject the helpless female to obedience, duty, or even fidelity; but gives her a right to an unbounded liberty and the fortune of her husband, while it confers on the husband hardly any right but that of calling her his wife. In fashionable life, and indeed in all ranks, as all aspire at being fashionable, it seems to be a bargain entered into by a male and female to bear the same name, live in the same house, and pursue their separate pleasures without restraint or control; and so religiously is this part

¹ Woolsey's Divorce and Divorce Legislation.

of the bargain kept that both parties shape their course exactly as convenience or inclination may dictate, spurning the joys of friendship at home, and contemning the censure of the world abroad." Such is the testimony of a writer a century ago.¹

Not to multiply citations, the following from a recent number of the *Brooklyn Daily Eagle* has a startling significance: "In a lecture delivered in the Hansom Place M. E. Church, November 23d, entitled 'Fact and Fun in Europe,' by Rev. Dr. Peck, pastor, he said, 'Returning through Paris, he found the men polite and gay, and a chaste woman, whether married or single, the exception.'"

Since we have seen that this system of indissoluble marriage had its origin neither in the Mosaic nor Christian dispensations, nor yet among the ancient Greeks or Romans, the inquiry assumes pertinency, Whence did it originate? It was not until the tenth century that religious marriage was made compulsory, and not till the twelfth century that civil marriage was dispensed with.² At this time the ecclesiastical power had gained the entire ascendancy throughout Christendom, and in the Catholic doctrine, making marriage a sacrament, we find the origin of its indissolubility; and just in proportion as the power and influence of the priesthood increased, the stringency of the marriage laws also increased. Civil marriages greatly diminished the power of the priesthood over domestic life. The sacramental character of marriage purported to be based on the belief that marriage was the symbol of the union of Christ and the church, and it must need, therefore, be perpetual to make the symbol complete. Another reason why the priesthood grasped at supreme jurisdiction in marriage matters was to prevent the members of flocks from intermarrying with heretics. By making the marriage ceremony a sacrament, to be performed only by priests, the priestly influence secured, access to every domestic circle, and gained complete control of all that part of the population who are easily wrought upon through the emotions, the women, children, and that portion of the men who were not distinguished by strong temperaments. This power, which the priests in the first instance arrogated to themselves for purposes of craft and gain, they prize too highly to relinquish, unreluctantly and without protest. Among Protestants the sacramental illusion has been almost entirely dispelled. In all Protestant States the laws provide for the performance of the marriage ceremony by the civil magistrate, making the

¹ History of Women, Dr. Wm. Alexander, Dublin, 1779.

² Lecky's History. European Morals.—II., 351.

members of the clergy magistrates for this special purpose. It is from traditional custom and fashion that they are, in a majority of cases, resorted to for the performance of the marriage rite, and not from any belief in the priestly efficiency of the rite. So little cognizance do the laws take of the efficacy of any priestly or even magisterial intervention that the New York and other State courts have held parties to be legally married on the evidence only of their living together and holding themselves out to the world as man and wife.

To anticipate any possible misconception, let it here be plainly understood that we have not cited these historic facts concerning loose divorce regulations to approve them, not even though they be found emblazoned on the sacred page, and have been passed down through the ages as being entitled to all the respect and credit as divine oracles. In addressing theologians from their own standpoint we have found it convenient to adopt, in a measure, their own language and phrases. But our reverence for an all-wise and infinitely just Creator is too profound and sincere, our awe of him too great, to allow us for one moment to cherish the belief that he ever commanded his people that a husband should put away his wife "for every cause," or for no cause but mere whim or caprice, or that he ever inspired any of his prophets so to command them. We do not plead for a restoration of the Mosaic, nor the Greek, nor the Roman divorce codes. But we would modify the present indissoluble marriage to the end that that freedom from personal bondage may be attained which Paul commended, for which Luther contended and Milton pleaded.

What is the true end of marriage? Is it the gratification of sensualism or the perpetuation of the species? To neither of these ends is marriage necessary; both can be secured without it. Marriage was instituted in the interest of man's spiritual and intellectual needs, and not his animal passions and lusts. Its true end is the promotion of the mutual happiness of the parties concerned, the rearing of children in health and the development in them of the principles of truth and virtue. Marriage is a contract. The right to contract for a union involves the right to contract for a disunion whenever it is discovered that such union is destined to be a curse instead of a blessing. But there is no relief for a wedded pair who discover all too late that they were mistaken in each other. Other bad contracts may be dissolved, other misadventures may be outlived, but not this. And of what avail is the scriptural promise of long life to him who walks in wisdom's

path when that path he has already wandered from in a direction he can never return from, and can, therefore, only look forward to death as a happy release from misery and sorrow. Deplorable as is such a fate for the parties themselves, often more disastrous still are the results to their offspring. Inheriting much of the quarrelsome disposition of their parents, in them are developed the tendencies to vice, insanity and idiocy, and in time they join the ranks of such unfortunates as fill our prisons and crowd our asylums. The immorality is not in dissolving a union from which spring such results as these, but in continuing such a union. "What God has joined together let not man put asunder." But God never joins together such pairs as that whose case we have just instanced. Such a union is the devil's own handiwork, and a masterly piece of his workmanship. Love, to be love, must not, cannot, be otherwise than free. It is not a matter to be regulated by statute and controlled by indissoluble bonds. People cannot be made to love each other by law. The law of love is the law of liberty, and in that law the behests of Scripture, of reason and of conscience unite in enjoining us to "stand fast."

EDWARD QUINCY, JR.

POOR PAY AND NO PENSIONS.

SOME unsophisticated people, noticing the haphazard manner in which our ship of state appears to be officered, wonder that the goodly vessel does not go to the bow-wows with every change of cabinet. The most that the public dares to ask is that a cabinet minister shall not be conspicuously unfit for the position; if, perchance, he should show a distinguished fitness for it, as in the case of Postmaster-General James, their gratitude is beyond all bounds. A president, in making up the list of his advisers, instead of considering the previous experience, mental character, line of thought and tastes, and probabilities of success of each one, too often seems to toss up a copper to determine whether the man to be provided for shall be secretary of this or that department, or commissioner of one or another bureau. Now, however great a man may be, he is not like the immensity of space, equally great in all directions, and it often happens that he finds himself at the head of a vast department whose

workings he has but small capacity to understand. It goes straight ahead, however, in spite of his help or hindrance, being managed by the corps of subordinate officials, who instruct their chief in his duties with the respectful deference of the veterans of an English regiment who coach the boy prince who is made colonel over them. Of these subordinates the world rarely hears, but they are so valuable for their integrity and special knowledge, and so necessary to the Government, that no incoming party, after a political upheaval, dares to oust them all at once, but replaces them gradually with men of the new faith.

While, considering the method of their selection, cabinet ministers may not be underpaid, and, going to the other extreme, copyists and messengers appointed for political reasons are not seriously imposed upon, there are many middlemen upon whose shoulders rests the real burden of the Government, who do not get the worth of their services. At the present day no words will be more respectfully considered than those of James A. Garfield, who, on March 14, 1870, in a speech in the House of Representatives, advocating a reduction in the expenses of the civil service—mark the object—said as follows:

There are scores of auditing and accounting officers, heads of bureaus and divisions; there are clerks charged with quasi-judicial functions, through whose hands pass millions in a day, and upon whose integrity and ability the revenues of the nation largely depend, who are receiving far less than the railroad, telegraph, insurance, manufacturing and other companies pay for services less responsible. Such officers we do not pay the market value of their services. When we find that the duties of any officer demand ability, cultivation and experience, let a liberal salary be given in order to procure the services of the best man.

While Mr. Garfield advised retrenchment, it was not an indiscriminate mulcting of good and bad alike. He would rather have a readjustment of salaries. He would pay a man directly as his usefulness, instead of in the inverse proportion., which now so often prevails. Such a plan would sweep the departments of thousands of incumbrances who have accepted their appointments in the sense of a pension for political services, and who occupy, with their harangues, the valuable time of the willing and industrious. It would dismiss the ignorant, who are worse than useless, as they keep their superiors busy in finding work adapted to their low capacity, and in explaining the very simple duties assigned to them. And it would clear out the idle, who say, with the public servants of those countries abroad which are sometimes held up for our imitation, "What is the use of being in the Government service if you have to work? Why, you might as well remain a private citizen." In such an organization we would no longer see a capable clerk teaching an incapable superior,

freshly appointed from the political arena, how to take charge of the division over which he has been placed. The end would be a public service cheaper, compacter, less populous, and more creditable in every way, and which would no longer be composed of the three grand divisions which were once formulated by the head of a bureau in Washington as "the society men, the men who do the work, and the men who draw the pay."

Our Civil Service is cheapened and degraded by the political element so largely represented there, and with the lowering of its tone there comes a natural lowering of salaries. This inevitable penalty falls unfortunately on both the worthy and the unworthy, and often, it must be confessed, the friendless worker suffers more from its effects than the influential idler. Nothing is too good or too bad to say of our Civil Service. Nothing too bad, when we think of the bummers who are billeted there, receiving full shares of the appropriations which are earned by others; nothing too good, when we remember those who do the work, and, with the Damoclean sword of a causeless dismissal ever above their heads, sustain the credit and dignity of the Government, and place it on a par with the best in the world. Official reports from their pens are accepted as gospel truth. The nation's income and outlay, passing through their hands, balances to a cent. They check dishonesty and correct error. In spite of disreputable associates, they succeed in making even some of the public departments respectable. Out of the disorder of the careless and the inefficient they bring order. The results of their earnest labors fall like a kind mantle over the derelictions of the indolent. And yet when one of them receives a promotion it is heralded as an achievement in Civil Service reform, and glory enough for one year. To advance such men is no conspicuous virtue; not to promote them over the bummers is little short of a crime.

The remedy for this evil is simple. Purge the service of its worse than dead weight of political hangers-on, and, for want of a better motto, let the republic adopt that of the prize-ring, "May the best man win." Who is the best man for the place cannot long remain a secret to the discerning judge, whatever test may be employed. It has long ago been admitted that a man will not necessarily make a good post-office official because he knows the distance to the sun, or the causes of the Peloponnesian war, and, on the other hand, it has been sufficiently demonstrated that his success as a Treasury clerk is not inevitable because he has been a good stump-speaker or bar-room

marshal. Between these two extremes there are several other ways of discovering a person's qualifications for the office he seeks. Having found the right man, be he from college or common school, of high or low degree, let him have good pay for his good work, though all the judges and generals of Pennsylvania avenue go athirst.

Although the expense of the administration of our Government has of late years grown beyond all warrant, still a very rapid increase, commensurate with our growth as a people, must be expected, and any objection to it is unreasonable. Every twenty-five years our country is doubled in population, wealth and income, and consequently in the business affairs of the public service. It is evident that if a private banker or merchant should find his business increased to twice its former dimensions, and should refuse to augment his force of assistants, or the remuneration of those upon whom this additional responsibility fell, because he was prejudiced against such action, he and his prejudices would be laughed to scorn, and his servants would desert him for a more liberal master.

Responsibility for inadequate salaries rests not alone upon Congress, which makes laws and gives appropriations, but sometimes upon the leading officers of the Government, who recommend legislation for their own departments, and with some of whom life is a systematic experiment to see how little they can pay their subordinates and retain them. They may do this from a mistaken idea of what constitutes patriotism, and a pardonable ambition to accomplish a great deal of work with a very little money; but too often, while laying the flattering unction of duty to their souls, they are actuated by a selfish desire for the applause of the people, and that reputation of economical disbursers of the public funds which will give them continued employment and more money to spend. This is proved by the liberal manner in which they treat themselves and their immediate friends, and by their careless handling of public interests which make no draught upon their own appropriations. Such men are task-masters and overseers, like the slave-drivers of former days, and the propriety of their existence in high official life is not recognized by the genius of our country. When a government official discovers his inability to earn his salary in the performance of that duty to which he has been regularly assigned, he should ease his conscience by a prompt resignation, instead of trying to make up the deficit from the scanty pay of his inferiors.

Such action is demoralizing in the extreme, and in the end it is

fatal to the best interests of the public. It is easy to see that a general of the army, with the instincts of a demagogue, might recommend and secure a reduction of its pay to one-half its present rates. As most of the officers, for want of other employment at hand, would probably remain for the time being, this step would be applauded by the unthinking as a success and a master-stroke of economy. But none the less it would be impolitic and unjust, and injustice, in civil as well as military circles, is bound to work its reward of discontent and ruin. When the head of a bureau announces that he can get all of the clerks that he wants for four hundred dollars a year, he states the truth. All of the washerwomen and drivers of street-cars in Washington would undoubtedly prefer, even at some financial loss, the shorter hours of the Government service to their own accustomed occupations, and if these were not enough it would be an easy matter to send over to San Francisco for some Chinamen. But the official who, under the cloak of economy, brings the public service into confusion, incompetency and disrepute, does it a harm beyond calculation.

It does not avail to point to a cheap position, filled by an occupant correspondingly cheap, and say that the man is not worth any more. The duties of the place form the criterion by which pay should be regulated. Make the place worthy to be filled and worthy men will rise up to fill it. It is in the power of the Government to have good or bad servants, just as it may elect. There are plenty of able and honest men in the country from whom to choose. On the other hand, there is no surer way to secure unfaithful and incompetent service than by selling the offices to the lowest bidder. When it becomes directly understood that the public service is simply a field of contest between the powerful Government and the nimble individual to see which can make the most out of the other, the individual, like the flea upon the lion's back, is bound to win.

In the name of economy deeds of meanness and littleness have been performed which would astonish those who are accustomed to think that the public service is invariably a synonym for extravagance. Trickery, limited only by the fear of the law, has been known. Sometimes the best of mortals, who would scorn to drive a hard bargain in private life, become niggards when a government appropriation is given them to disburse. Men working by the month are discharged by them on Saturday night and hired again Monday morning in order to save Sunday's pay. Congress decrees a holiday,

the departments are ordered to be closed, and those employés whose misfortune it is to work by the day are out of pocket for the time that they are compulsorily idle. A distinguished scientist is fatally injured by a blow received in the direct performance of duty, and dies Saturday, March 30; although he is employed by the month and the working days of March are completed, his family do not receive a full month's salary, the fraction for Sunday, the 31st, being scrupulously deducted. A civilian is working for one of the branches of the War Department, and at 11 o'clock in the morning of June 11, while quietly absorbed in his duties, he is astonished by the tardy information that he was discharged to date from the evening of June 10, the day before. A man employed upon government works is blown to pieces by a premature explosion of dynamite; the accident occurs at noon, and his pay stops promptly with his life, at 12 o'clock. "For it is in the bond," says the official to the widow and orphan, "that a half a day's work shall not bring a full day's pay." It was also in the bond that Shylock should have his pound of flesh.

The admirable precision of Government accounts, some will say. Yes, but in a land of equal rights such precision should not be unequally distributed. Although the day-laborer is docked for the holiday that he is obliged to take, the Senator draws his salary for whole sessions that he is absent from his seat. The faithful civil engineer is discharged by the economical War Department on the day after his pay is stopped; but if a drunken officer of the army is dismissed with less than a year's salary in advance he makes high Heaven and the halls of Congress ring with his complaints. When a congressman or a diplomatic minister dies his family is consoled with an extra year's salary, whether it is in the bond or not. The general's parlors are gay with flowers from the garden of the Soldier's Home, while the walls of the hospital, where the sick soldiers are lying, are as bare as whitewash can make them. Our minister at Madrid may spend several months of each year in the more congenial society of Paris, and who objects? The Secretary of Agriculture may take a summer trip to the Yellowstone Park to study the habits of the buffalo and to examine into the reported facilities for banana culture in that belt of country, and who says him nay?

Railway and manufacturing companies are building hospitals for their sick and disabled; newspapers are establishing retired lists for their aged journalists, where they may work or be idle, according to their inclinations. There is a place in the kitchen chimney-corner of

the Christian household for its decrepit servant. Even in slavery days few masters were found so brutal as to turn their superannuated Uncle Toms adrift; but our Government is not so kind, except to the army and navy, whose duties in those piping times are certainly not conspicuously arduous, important, or dangerous. Indeed, civilian and military are working side by side in many bureaus of the War Department. To illustrate, once upon a time a young civil engineer, in Government employ, a graduate of Yale, was terribly crushed and maimed while in the direct execution of his orders. In his crippled condition he could make fair progress in his duties, but could not accomplish as much as when he was well. Still, being in sore need of money, and feeling that he had some claim on the sympathy, so to speak, of the Government, he begged the privilege of completing the work upon which he had been engaged, and with whose details he was familiar. Being a civil servant, his request was refused by the officer in charge, with the unfeeling remark, "This Government is not a hospital." Time rolls on, and the official himself becomes an invalid, but not from any cause incidental to the service. Not being in the civil service, he receives a year's leave of absence, instead of a summary discharge. That finished, he is sent upon some nominal mission of travel through Europe, where, at the date of this writing, he now is. Whether the Government is or is not a hospital seems to depend upon the official status of the patient who asks admission.

While there are faint hopes that some provision will be made some day for the wounded and dead of those foremost places of danger, the life-saving, railway mail and internal revenue services, for the civil service at large there is no present hope, and happy is he who can lay aside enough money therein to pay the expenses of his final illness and burial. While the great heart of the country is throbbing in sympathy for army and navy officers who in old age are retired to a life of ease on the "poverty" of three-fourths pay, a pension which is larger than the entire salary of a civil servant of equal age and experience, the latter is cast aside like a wornout tool when his usefulness is impaired by disability or his strength fails under the weight of years spent in his country's cause. Nor, even in the proposed Civil Service reform, is he to be allowed the scant privilege of retaining his office during good behavior, or until some better man applies for it. Even the reformers have not the temerity to advocate so radical a change. Yielding to the fear of the creation of a favored class, they propose to check all aristocratic aspirations by the whole-

some democratic discipline of a discharge at least every three or four years, leaving the deposed to take his chances of reappointment. But this heroic treatment is not necessary, for, in a civil service rightly reformed, every man will have his hands full of business, and a busy man has no time to be aristocratic.

People point to the army and navy as illustrations of the aristocracies developed under a permanent tenure of office. But the army and navy are not conducted on business principles. Their officers are not retained for good conduct or promoted for excellence. Nor are they discharged for general worthlessness, incapacity, laziness, or any moderate act of dissipation; nothing short of actual crime or action flagrantly dissolute seems able to displace them, and even then they are apt to be reinstated by social and political influence working upon executive clemency. Good and bad are advanced with equal rapidity in the united service, an inexorable system which, if introduced into the civil service, would place the oldest clerk in the Treasury Department at the head of the same, regardless of his qualifications for the position. No one asks so firm a tenure as this for the civil service. Granted that old age is respectable, but still it in itself does not deserve so great respect as this. While years generally bring wisdom, still it must be remembered that there is no fool like an old fool. It is a serious reproach upon republican institutions that this great evil of promotion for seniority of service alone should be necessary to avoid the greater evil of favoritism, whether political or social, and a still greater reproach upon the administration of these departments that this law of seniority, while quite sufficient to prevent advancement for distinguished merit, is impotent against the invidious agencies of influence.

The query will naturally come why men do not leave an employment so unprofitable and unpromising as the civil service. They do leave it. Promotion in the Patent Office is rapid from that cause. Clerks in the Land Office are seduced from their desks by the double salaries offered them by the land-grant railways. The new "Northern Transcontinental Survey" is largely composed of scientific men who have become disgusted with the meagre pay and the uncertain tenure of a Government office. The private secretaries of presidents and cabinet ministers are found to make excellent journalists. Officials high in rank in the Treasury are profited financially by a transfer to some village bank or city counting-house. Even the Secretary of the Treasury could get a better salary as a bank president or cashier.

The country has lost too many invaluable servants because it considered itself too poor to pay them the market value of their talents.

But there are certain branches of the service from which members do not resign, being held down by the tight screws of monopoly. There was once a clerk who, as a young man, entered Stewart's store in New York and was assigned to the shawl department, from which he never emerged. In the course of his life he became an expert in shawls, and an ignoramus in all other articles of merchandise. He could not find employment elsewhere, because no other establishment had use for a specialist in shawls. Yet he was not more helpless than some of our Government clerks. Mr. Stewart, close dealer though he was, never was so unjust as to reduce his salary and so indelicate as to mock his subsequent condition by saying, "If you think you can do better elsewhere, you are at liberty to go," a remark which is often heard by the Government employé. But, for many of our public servants, as for the shawl expert, there is nowhere else to go. There are no private firms measuring arcs of meridians, carrying letters, collecting revenues, coining gold, compiling statistics, computing eclipses, and sounding the deep sea.

A public officer, in charge of works of which the Government had sole control, called one of his assistants to him and told him that it was necessary to reduce his salary. The latter begged some explanation of this mark of disfavor, and trusted that he had not been singled out to be the recipient of it. Confident in the monopoly he held, the petty autocrat answered authoritatively that this was not a matter for discussion, adding, "if you don't like it, I suppose you know what you can do about it." The young man did not know at that moment, but, accepting his degraded position as gracefully as possible, he resolved to find out at the earliest opportunity. He was successful, and before the year was out he was engaged in a kindred enterprise elsewhere, but it was five thousand miles away, under a foreign flag and a politer chief.

A monopoly of certain interests is necessary to every government. An abuse of the powers of this proprietorship is a shame. The doctrine that the laborer is worthy of his hire is older than the Constitution of the United States, and it will be a sad mistake to supplant it now by the heresy of the false economists that a person is worth what he can get elsewhere, that mercenary motto by which the seamstresses of the great cities are oppressed. Talent and time devoted to the Government in one pursuit are worth equal talent and time spent

in another specialty. Pay should be irrespective of outside demand ; but it is not so. The people of the Patent Office get better salaries than those of the Land Office, because there is more popular call for patent attorneys than for experts in public lands ; and the latter are better rewarded than the men of the Signal Service, because there is more demand for land agents than for observers of meteorological phenomena. Yet who will dare to say that the services of the meteorologist, who, in taking that profession, makes a complete surrender of himself to the Government, are not as valuable as those of the patent expert, who has his resignation ready to sign at a moment's notice.

Dismissal from the civil list in its present state of insecurity and instability is no misfortune to a meritorious man if it only come early enough in life, before he becomes set in the ways of the Government, which are not as the ways of private enterprise ; and failure to secure admission therein in the first place is in most cases a real benefit. Many a rich blessing has been hidden under the dreadful disguise of a yellow envelope. To the disappointed office-seeker counting the ties on the railroad leading to his home, his journey, if he have the elements of manhood in him, is not a retreat, but a triumphal march. The young man starting in life will find in the public service but little premium for that education and thorough preparation which should precede entrance upon the nation's work, and, once admitted, he will find that solitary merit has but little show in a contest with political influence. As an errand-boy he might become president of a bank, or, beginning as a brakeman on a railway, he might rise to be superintendent, but these republican methods of preferment are not for the service of the republic. There may be boy Hamiltons in the Treasury, or Websters in the State Department, with ambitious eyes fixed upon the President's cabinet ; if so they cannot too quickly resign and seek the goal of their desires by the roundabout road of politics.

The novice is amazed at the inconsistency of a Government which, in its military and naval schools, teaches men French and Spanish to fit them for fighting Indians and dispersing rioters, and chemistry to enable them to cruise the seas, while in its civil service he finds officials ignorant of common arithmetic handling questions of finance, and others, who cannot spell the English language, conducting diplomatic correspondence. Therefore why, he may well ask himself, should he work and study for years to fit himself for an humble clerkship grudgingly bestowed, when, by fighting a brief political campaign or mar-

rying a senator's daughter he can be made chief of a division in the Treasury, consul to a warm climate, paymaster in the army, or, if he have an abundance of ancestry, influence and luck, may even enter the charmed circle of the Marine Corps!

Young men with confidence in themselves and respect for themselves should therefore think twice before entering upon a life in which all earnest labor must be to some extent a self-sacrifice. This advice is given from two motives; first, a benevolent interest in the welfare of the aspirants in question, and second, a patriotic desire to lift from the shoulders of the officials in Washington the one particular burden of which they complain most bitterly, that is, the painful and incessant duty of rejecting applicants for office. When a young man is ready to begin the battle of life, and starts out in the world seeking his first engagement, tendering his services here and there to farm or store, school or parish, he is generally received kind and courteously, and, even if there is no room for him, he is thanked for the compliment of his offer; for it is no slight compliment when one man is willing to devote the best energies of his days to another. But in Washington he who would make the fair exchange of service for salary is considered a beggar, and, with official politeness, is treated as such. He may be a possible Sumner or Garfield, and have the papers to prove it, but, unless he is supported by a senator on his right hand and a representative on his left the chances are that his testimonials will be consigned to the file-holder unread. He may be a Franklin or a Bache, but in vain does he search the eye of the appointing power for that appreciative sparkle which his letters of introduction might be expected to call up. Everywhere he is received with the same air of infinite weariness and annoyance, and everywhere he hears the same tale of pigeon-holes full of applications and a city full of applicants. Under these circumstances a man must be very much of a patriot or a tramp to continue to press his services upon an unwilling country.

Doubtless many boys are lured into Government employ by the fancied honor of such occupation, and learn too late that it is as honorable to speed the plow on the farm at home as to drive a pen in a Federal office. The inexperienced youth who enlightens the social circle of his boarding-house at Washington by the proud statement that he is in the "civil service" will perceive, by the peculiar smile with which his announcement is greeted, that he has used a metaphor to which his hearers' ears are unaccustomed. If, instead, he had adopted the language current in that city, and had described himself

as a "Government pauper," his meaning would have been more clearly understood. He may be doing an honest share of honorable work, and yet find himself a social pariah on account of the general low tone of the department in which he is engaged. As time wears on and experience accumulates he comes to blush when he names his occupation, if, by evasion or prevarication, he cannot possibly avoid naming it. Such, under the spoils system, is our public service in some of its branches. If it be honor to be envied by the shiftless and doubted by the honest, then is such employment honorable.

FRANK D. Y. CARPENTER.

OUR LAND-GRANT RAILWAYS IN CONGRESS.

THE grant of lands made by Congress to the Texas Pacific Railroad Company, on the 3d of March, 1871, was the last in the series of great land-grants inaugurated by the ruling party in 1862. It was extravagant, unguarded and indefensible. The company has earned no lands under it, having built only 181 miles of road in the State of Texas, while another company has completed the enterprise without any subsidy. The measure was hurried through the lower branch of Congress on the last day of the session, without any opportunity for debate and under circumstances of suspicion; and it fitly ended the dispensation of recklessness and improvidence which finally awakened a formidable and wide-spread popular reaction against it. This found expression in the press, in numerous gatherings of the people throughout the Northern and Western States, in the platforms of both the great parties, in the resolves of State Legislatures, and in the second annual message of President Grant, in which he condemned the policy of any further grants of lands to railroads, and recommended the dedication of the residue of the public domain to actual settlement under the Homestead and Preëmption laws. The people became so thoroughly aroused that Congress was obliged to take notice of the fact, and would perhaps have felt constrained to undo its work if this had been possible. But the railway interest had, in fact, substantially accomplished its purposes, and now only needed the careful husbandry of its great advantages; while all that Congress could do was to hold its grantees to a strict execution of the trusts confided to them.

This duty was imperative, and was made the more so by the circumstances under which these grants were made, and which furnished some excuse for hasty and crude legislation. We were in the midst of a great struggle for national existence, or grappling with the difficult problems it entailed. The desire for railway connections between the Atlantic and Pacific States was everywhere felt and constantly growing stronger, but could not be accomplished without liberal grants of the public domain. When these grants were made Congress knew comparatively little of the character of the lands given away, and greatly overestimated the proportion of "bad lands," as time has since been making manifest. No one then foresaw the rapid settlement and development of our Western States and Territories, and the wonderful increase in foreign immigration we have since witnessed, and through which the building of railroads was to become a pressing necessity and a work of practical accomplishment without the help of the Government. In the light of these facts the duty of Congress was made perfectly clear and morally unavoidable to hold the States and corporations upon which the public lands had been so lavishly bestowed to a faithful performance of their engagements, and to restore the grants to the public domain whenever they should be forfeited by inexcusable non-compliance with the conditions on which they were made.

But what are the facts? A little examination will show that the power which was able to secure from Congress land sufficient for an empire has never been intermitted. It is not, certainly, a spent force in American politics and legislation. I have mentioned the grant to the Texas Pacific. It gave twenty alternate sections per mile, on either side of the road, when it passes through the Territories, with the right to make up deficiencies within ten miles beyond the granted limits, covering an estimated area of 14,309,760 acres; and the road was to be 1,483 miles in length, and completed within ten years from the passage of the granting act. The time was extended the following year to May 2, 1882. As already stated, not an acre of this grant has been earned by the company, but the whole of it is withdrawn from settlement, the granted sections involving a belt of forty miles on either side of the line where it runs through the Territories, while the indemnity lands attach to an additional belt extending ten miles beyond the grant on either side of it, making a total area of 100 miles in width; and so far as the lands are not surveyed within this grant, the even-numbered sections are practically withdrawn with the

odd ones. In the meantime the whole road has been completed by the Southern Pacific Railroad Company without any subsidy, while an arrangement has been made between this company and the Texas Pacific by which the former is to have the unearned lands of the latter; and Congress, undoubtedly, is expected to ratify this fraud upon the Government. The object of the grant was the building of a great thoroughfare to the Pacific, and the development of the country through which it passed by its settlement and tillage; but the facts show that no subsidy was needed, while the development of the country has been positively forbidden in an area eighty miles wide, and for the benefit of a corporation which purposely forfeited all its rights and bound itself to another corporation not to do what it had promised. This immense domain, thus withdrawn from settlement during the past eleven years, should be restored at once. It is now as completely subject to the disposition of Congress as if the grant had never been made, and to continue its withdrawal, under the circumstances, will be the wantonness of legislative profligacy. To award these millions of acres to the company which has forfeited the grant, or to its assignee, and thus make them the subject of a great railway monopoly, would be as complete a robbery of the people as the making of an original grant for that purpose. What is wanted is the settlement of these lands, and the productive wealth they may be made to yield, and this object can best be attained by restoring them to the public domain at the minimum rate.

Kindred observations apply to the other great transcontinental roads. The act of Congress of July 27, 1866, granting lands to the Atlantic & Pacific Railroad Company, required the road to be completed by the 4th of July, 1878. The length of the road was to be 2,426 miles, and the grant, like that of the Texas Pacific, was twenty alternate sections per mile on each side of the line through the Territories, and ten sections through the States, making an estimated aggregate of 40,690,560 acres. Only 125 miles were built prior to the date fixed for the completion of the road, and 200 miles have been built since that date, leaving unconstructed 2,101 miles. Only 526,991 acres have been patented under this grant. The Commissioner of the General Land Office says that no withdrawal of land within the limits of the grant in the State of Nevada and the Indian Territory has been ordered, but with this exception the whole of this great area has been withdrawn from settlement more than sixteen years. The entire grant, save as to the 125 completed miles, has

been forfeited more than four years, and has been subject to the disposition of Congress as the public property of the United States. If the purpose of the road was the settlement of the country along its line, that purpose has been signally defeated, for the road has not been built, and the lands granted have been withheld from settlement. Their forfeiture should be declared, and the lands restored to the public domain without delay. No diligence has been shown by the company, and no valid equities can be urged in its favor. As an original proposition Congress certainly would not now make this grant, and can still less afford to renew it for the benefit of a corporation which has so culpably slighted its obligations to the Government.

The grant made to the Southern Pacific Railroad Company is of the same date as that to the Atlantic & Pacific, and the road was to be completed at the same time. Its length is 522 miles, and the same number of alternate sections per mile on either side of the line was granted, aggregating 5,511,264 acres. Only 232 miles were built prior to the date fixed for the completion of the road, leaving 290 miles uncompleted. There have been patented 1,037,910 acres. The grant has been forfeited for more than four years, and should be restored to settlement. It was the understanding of Congress as to all these grants that if the conditions were not complied with the lands would revert to the United States; and this understanding should be carried out, unless such exceptional diligence and good faith have been shown as to justify Congress in their renewal. No such diligence and good faith can be urged in this case, while private enterprise is now adequate to the completion of the work. The altered circumstances of the country since the year 1866 should be the guide of Congress to-day in the performance of its duty.

The grant of lands of July 2, 1864, to the Northern Pacific Railroad Company was of the same number of alternate sections per mile, and with the same right of indemnity as in the other grants I have mentioned. The selection of the alternate sections, therefore, required a belt of eighty miles in width, and the indemnity limits extended it to one hundred miles; but, by a joint resolution of Congress of May 21, 1870, the indemnity limits were extended ten miles further on either side, making a belt 120 miles wide where the road passes through the Territories. This is the stupendous outcome of the policy founded by Senator Douglas in 1850, which limited the grant to six sections per mile on either side of the road, and the indemnity to fifteen miles. In all the unsurveyed portions of this area the even-numbered sections

are necessarily reserved with the odd, as the whole of the indemnity lands are likewise, under the practice of the Department. The length of the main line of the road is 2,279 miles, and the estimated amount of the grant is 48,215,040 acres. The road was to be completed on the fourth day of July, 1876, but by a joint resolution of May 7, 1866, and July 1, 1868, as interpreted by the Department, the time for its completion was extended to July 1, 1879. The number of miles built before that date was 531, and 775 miles have been completed since, leaving 964 miles uncompleted, and 1,739 miles uncompleted when the grant expired. The express conditions on which it was made have been violated, and the unearned lands, amounting to nearly 40,000,000 acres, are legally forfeited to the United States. This forfeiture should be declared by Congress unless decisive reasons can be urged to the contrary. The company has shown more diligence than in the case of the other great lines of road, but it has failed in its obligations, notwithstanding the liberal extension of its time. All its fair and reasonable equities should be regarded, but the equities of the United States should be held paramount to those of a delinquent corporation. This grant was made eighteen years ago, under circumstances which no longer exist, and which cannot regulate the duty of Congress to-day. The value of the lands granted in 1864 was not then known, but is now pretty well understood. The grant was made of empire extent, because the building of the road and the settlement of the country along its line were deemed impracticable without it; but the settlement and development of our Western States and Territories have proceeded so rapidly during the past few years, under the operation of natural causes, that subsidies are scarcely any longer needed in the building of railroads, while the embargo imposed by this grant upon the occupancy and tillage of so many millions of acres has become a serious national grievance. This embargo ought to be removed, unless we are prepared to bestow the property of the nation upon corporations for the mere purpose of monopoly, and wholly irrespective of any public necessity or advantage. It will hardly be denied that this road would now be built by individual capital and enterprise, and that Congress has the power to save this immense body of unearned lands for settlement under the Preëmption and Homestead laws, and thus greatly to cheapen their cost to the thousands who are in search of homes. Not to do this will be the wanton betrayal of a great trust.

The lands now legally forfeited under the four great grants I have

specified are not far from 100,000,000 acres. The even-numbered sections withdrawn from settlement under these and various minor grants where the surveys have not yet been made, added to the indemnity lands likewise withdrawn, would probably amount to near another 100,000,000 acres, according to the best estimates I have been able to procure. Congress now has the opportunity to restore these 200,000,000 acres to settlement under the easy and tempting conditions provided in the Preëmption and Homestead laws. Is there any valid reason why this should not be done? Shall the Government harness itself to the ideas and policies under which it acted eighteen or twenty years ago? Is there anything in the present condition of railroad building in the United States to warrant Congress in recreating great landed subsidies for its service? Foreign emigration is now pouring in upon us at the rate of nearly a million per annum. The stream of Western settlement is incalculably stronger than ever before. Rapidly-multiplying thousands are eagerly inquiring for homes, and as far as practicable the supply should be made equal to the demand. The actual settlement of our country is the pressing demand of the hour, and the land-grant policy, which was intended to promote this, has become its fatal hindrance. It promotes the sale of land in large bodies, and thus builds up great monopolies, and defeats the beneficent operation of our Homestead law. It puts large blocks of the public domain in the hands of associated wealth, as in the case of 230,000 acres recently purchased in Dakota by a company of English capitalists, and kindred monopolies in other Territories and States. It encourages farming on a large scale, and a system of landlordism inconsistent with healthy American ideas. By hindering the policy of closely-associated communities, it injures the railroads themselves by diminishing the passenger traffic they would have in a country of small farms and thriving towns. It has probably done more to retard settlement than to promote it; and it has, at all events, outlived its usefulness; while, in the new dispensation upon which we have entered, railroads will be built without subsidies, and only when they are demanded by the necessities of commerce.

But the plea is made by the Northern Pacific Railroad Company that its grant has not been forfeited, and that Congress, under the terms of the grant, has no power to declare such forfeiture. This plea, if valid, will apply to the other great roads, as the language of their grants is substantially if not literally the same. The question

has recently been brought before Congress, and referred to the House Judiciary Committee, which has considered it, and made a report, accompanied by the views of a minority of the committee. The question presented is an interesting one, and I refer to the views of the majority as a striking illustration of the abiding power of these land-grant roads over Congress. The sections of the granting act which involve the point in dispute, are the following :

SEC. 8. That each and every grant, right and privilege herein, are so made and given to and accepted by said Northern Pacific Railroad Company, upon and subject to the following conditions, namely : That the said Company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than fifty miles per year, and shall construct, equip, furnish, and complete the whole road by the fourth of July, 1876.

SEC. 9. That the United States make the several conditioned grants herein, and that the said Northern Pacific Railroad Company accept the land, upon the further condition that if the said company make any breach of condition herein, and allow the same to continue for upward of one year, then, in such case, at any time hereafter, the United States, by its Congress, may do any and all acts and things which may be needful and necessary to insure a speedy completion of said road.

It will be seen by these sections that the grant was made upon conditions subsequent. It is not material to this inquiry whether we regard it as a grant *in presenti* or not, for in either case the performance of the conditions is alike indispensable. In construing these conditions we should bear in mind the well-settled rule of interpretation applicable to such grants, that they are to be construed strictly against the grantee. Whatever is not granted in express words, or by necessary implication, is withheld. If doubts exist, they are to be construed in favor of the grantor. The express conditions of the grant named in the eighth section are that the company are to begin the work within two years from the approval of the granting act by the President ; that it shall complete not less than fifty miles per year, and that the entire work shall be completed by the fourth day of July, 1876 ; and the section further declares that "every grant, right and privilege herein are so made, given to and accepted by said Northern Pacific Railroad Company, upon and subject to" these conditions. Now, it is too clear for argument that, according to this section, the failure of the company to perform any of these conditions is made a legal forfeiture of the grant, and Congress had the right so to treat it. No express reservation of this right in the grant was necessary. The majority of the Judiciary Committee admit this, for they say the words "upon condition" are as potent as if the act had declared that "if these conditions are not fulfilled the land shall revert to the United

States." But they say "the severity of the words in Section 8 Congress had a perfect right to modify. It had a right to say just what should be the effect of a breach of the conditions of the grant. It could rest its reserved rights on the words 'upon condition,' and then the legal effect would be to retain the right of reverter, or it could claim the right in so many words. * * * *Instead of either of these things* Congress enacted Section 9, limiting and defining the effect of a breach of the conditions named in Section 8. By that limitation *the sole right* which remains in the United States at the present time is the right by its Congress to do any and all acts which may be needful and necessary to insure the speedy completion of the road."

But a reference to the language of the ninth section will show that this view is unwarranted and far-fetched. The language of the ninth section is, "that the United States make the several conditioned grants herein, and the said Northern Pacific Railroad Company accept the same, upon the *further condition* that if the company make any breach of conditions hereof, and allow the same to continue for upward of one year, then * * * the United States * * * may do any and all acts which may be needful and necessary to insure a speedy completion of said road." It will be seen that the condition mentioned in this section is inserted as a *further* condition upon the conditional grants mentioned in the eighth section, and as an additional burden imposed upon the company by the ninth section. There is no modification of "the severity of the words in section eight." No language is employed showing that Congress intended to divest the United States of any rights reserved by the eighth section. The contrary is perfectly evident from the language "that the United States make the several conditioned grants herein (meaning, of course, those mentioned in the eighth section), and that the said Northern Pacific Railroad Company accept the same, upon the *further* condition," etc. How a further and additional condition in the ninth section could sweep away those mentioned in the eighth, it is not easy to perceive. It could only be done by construing the language very strictly against the Government, and very liberally in favor of the company. The two sections, in fact, are perfectly consistent with each other, and their import is perfectly clear. Under the eighth section, on forfeiture of any of its conditions, Congress could revest the grant in the Government. This was all it could do, and the ninth section was added, not as superceding the provisions of the eighth, but to give Congress the

power, in certain contingencies, to direct the company in such action as would facilitate the construction of the road, should default as to any condition continue for more than a year. Should Congress fail to assert its rights under the eighth section and allow the default of the company to continue for more than a year, the provisions of the ninth section would become operative; but Congress, certainly, would retain its perfect right to act under either of the sections. It is the sole judge as to what shall be done, and is not in the least restricted as to power. The majority of the Judiciary Committee do not dispute the authority of Congress to declare the forfeiture of the grant if it deems this necessary for the speedy completion of the work; but as they "can conceive of no legislation which would hasten the completion of the road," they deny the power of Congress to legislate on the subject. They insist that the provision that "Congress may do any and all acts and things which may be needful and necessary to insure a speedy completion of the said road," deprives it of the power of action for any other purpose. In the apt language of the minority of that committee, whose views I have summarized, they argue "that because, in express terms, Congress imposed a further condition on an already existing conditional grant, which *further* condition was not inconsistent with the prior conditions and correlative rights and liabilities under them, the imposition of such further condition was, in legal effect, an abrogation of all legal rights beneficial to the Government growing out of the prior conditions, and the grantee took the estate practically discharged therefrom." In other words, the Government, in making a grant of 48,000,000 acres of the public domain to secure the building of a great road, by a mere juggle of words nullified its fundamental conditions and placed itself at the mercy of the corporation which thus becomes its master.

Such an argument may be pardoned in the attorneys of a great railway corporation, or in the defense of a criminal in a desperate case, but seems a little surprising when made by the Judiciary Committee of the House of Representatives. As I have said, this grant is to be construed strictly against the company, and nothing but the clearest and most unambiguous language could justify so monstrous an impeachment of the intelligence and good faith of Congress. It has lost no right by delaying action under the eighth section of the grant, because *laches* are never to be imputed to the Government. It has the option to proceed under that or the ninth section. The whole matter is before it for its determination. It has the right to take into

consideration the important question of "the speedy completion of the road," and this is its duty; it is bound, also, to consider the delinquency of the company, the present facts of the situation which insure a speedy completion of the road in any event, the change made by it in the location of a portion of its line, seriously involving its rights to the lands corresponding to this change, the right of the United States to a vast body of unearned land, and all the other circumstances fairly appertaining to the question. Action should be taken without delay, for, as the law is construed by the courts and acted upon by the Land Department, the company is entitled to patents for the lands conditionally granted until Congress shall provide to the contrary. The failure of Congress to act is thus practically equivalent to making a new grant, and is all the company ask. The people should understand this and hold their representatives to their responsibility. The question was before Congress at its last session, and the minority of the Judiciary Committee submitted a resolution declaring the forfeiture to the United States of the lands which had not been patented to the company on the first day of last July; but the railway interest in the House refused to allow it to be considered, and will certainly be strong enough to accomplish its object unless the people shall show a united and determined purpose to defeat it.

I pass to some other roads whose grants have not been earned, and which were made directly to corporations. By act of Congress of July 25, 1866, a grant of land was made to the Oregon Central Railroad Company, now known as the Oregon & California Railroad Company, to the amount of 3,701,760 acres, to aid in the building of a railroad from the Central Pacific Railroad in California, to Portland, in Oregon. The grant was to the amount of ten alternate sections per mile, on each side of the line, with the right of indemnity within ten miles of the granted sections. The entire road was to be completed by the first of July, 1875, but the time was afterward extended to the first of July, 1880. The length of the line in Oregon is 315 miles, and 197 miles were completed within the time required. The residue of the grant is forfeited, and should be so declared. The length of the line in California is 288 miles, of which 152 miles were constructed within the prescribed time. No further work has been done, and the lands attaching to the residue of 136 miles are forfeited.

By act of Congress of May 4th, 1870, a grant was made to the

Oregon Central Railroad Company, amounting to 1,130,880 acres, to aid in the construction of a road from Portland to Astoria. The grant is ten alternate sections per mile on each side of the line, with the right of indemnity within twenty-five miles from it; and, unlike all other land grants, it allows indemnity for all lands disposed of within the grant *prior*, as well as subsequent, to the passage of the act. The length of the road is 122 miles, of which twenty-five miles were completed within the time required by the Act, which was six years. No further work has been done, and the lands pertaining to the residue of the grant are forfeited.

By the twenty-second section of the act of March 3d, 1871, granting lands to the Texas Pacific Railroad Company, a grant was made to the New Orleans, Baton Rouge & Vicksburg Railroad Company of ten alternate sections per mile on each side of its line in Louisiana, amounting to 903,218 acres. The company was required to complete the road within five years, and its length was 318 miles. No portion of the road has been completed, and the entire grant is thus forfeited.

Many of the numerous grants made by Congress to States in the year 1856 have been forfeited. All these old-fashioned grants are of six alternate sections per mile, on each side of the road, with the right of indemnity within fifteen miles, and the roads were to be completed within ten years. In the grant made for the benefit of the Coosa & Tennessee Railroad no portion of the road has been constructed, but the lands were withdrawn from market, and so remain. The amount of the grant was 140,160 acres. The same remarks apply to the Coosa & Chattanooga road, in which the grant was 144,000 acres. In the case of the Mobile & Girard road the grant amounted to 858,624 acres. There is no official evidence that any portion of the road has been built, but it is known otherwise that eighty-four miles have been completed. The entire grant, however, is forfeited, and the lands, under the decisions of the Federal courts, can only be restored to market by act of Congress.

The grant to the Selma, Rome & Dalton Railroad was 641,285 acres. The road was 161 miles long, and only 100 miles were completed before the grant expired. The lands attaching to the unfinished portions of the road are forfeited, and are still withdrawn for its benefit. A portion of the road was not built on the line of its location, and its affairs need adjustment. The grant in aid of the Atlantic, Gulf & West India Transit Railroad was 1,171,200 acres, and the length of its line 305 miles. Some of the road was completed within

the time required, but 155 miles were built afterwards, leaving 150 miles uncompleted. The lands have not been restored to market. The grant in aid of the Gulf & Ship Island Railroad was 652,800 acres, and the line 170 miles long. Nothing whatever has been done, but the forfeited lands remain withdrawn. The grant in aid of the Tuscaloosa & Mobile Railroad was made on the same conditions and limitations, and followed by the same total failure in compliance; and the same is true of the Mobile & New Orleans Railroad, the Elyton & Beard's Bluff Railroad, and the Savannah & Albany Railroad. I am not able to give the length of these roads or the quantity of their grants, but the lands are forfeited, and remain withdrawn from market. The grant for the benefit of the Pensacola & Georgia Railroad amounts to 1,178,880 acres, and the road is 307 miles in length. The General Land Office has no evidence that any portion of it has been constructed, but 1,275,579 acres have been transferred to the State, which is 96,779 acres more than the amount the State would have been entitled to had the entire road been completed. The lands have not been restored to market, and Congress, of course, should provide for this without delay. The grant to the Florida, Atlantic & Gulf Central Railroad is estimated at 226,560 acres, attaching to a road fifty-nine miles long. There is no official evidence that the road has been constructed, and the lands are still withdrawn from sale or entry. In the case of the North Louisiana & Texas Railroad the estimated quantity of the grant is 725,760 acres, and the road is 189 miles long, of which ninety-four miles were completed before the grant expired. No further work has been done, and the unearned lands are still withdrawn for the benefit of the road, and should be restored at once to the public domain.

The grant to the St. Louis, Iron Mountain & Southern Railroad was made on the fourth of July, 1866, and was for the alternate sections within ten miles on each side of the road, with the right of indemnity within twenty miles. The line of the road was ninety-four miles long and the grant 601,600 acres. Only twenty miles of the road were completed within the time prescribed, which was five years, but the odd sections within ten miles, and both the odd and even sections beyond this limit and within twenty miles of its line, are withdrawn and reserved for its benefit. The entire road has been completed, but not on its authorized line, and no lands have been certified to the State under the grant. The Marquette & Ontonagon Railroad, which was one of the grants of 1856, was ninety-eight miles long, and its grant

was 627,200 acres. Only fifty-two miles have been completed, and the lands attached to the remainder are forfeited and still withdrawn from settlement. In the case of the Ontonagon & Brush River Railroad, another of the grants of 1856, the road is seventy-five miles long and the amount of the grant 232,848 acres. Only twenty miles of the road have been completed, and not within the prescribed time. Of course the grant is forfeited, but the lands are still reserved from settlement.

The grant to the Sioux City & St. Paul Railroad, of May 12, 1864, was for 487,240 acres, and the length of the line a little over eighty-three miles. Fifty-six and one-fourth miles were completed within the prescribed time, and nothing has been done since. The lands attached to the unfinished portion are forfeited, but continue reserved from settlement.

The grant to the West Wisconsin Railroad, of June 3, 1856, as subsequently enlarged, amounted to 1,305,600 acres. The road was 244 miles long, and to be completed within ten years, but the time was subsequently extended and 217 miles were completed before it expired. Thirty-nine miles remained uncompleted when the time expired, but the lands withdrawn from settlement under this grant have not been restored. The grant to the North Wisconsin Railroad, of June 3, 1856, amounted to 1,408,452 acres, and the road was 226 miles long. None of it was completed within the time required, but 120 miles have been constructed since and 106 miles are still unconstructed. The lands along this portion of the line are still withdrawn from sale. The grant to the Wisconsin Central Railroad, of May 5, 1864, amounted to 1,800,000 acres, and the road is 341 miles long, of which 231 miles were completed within the ten years prescribed by the act and 126 miles after the time expired, leaving eighty-four miles still uncompleted. There has been no restoration of the land withdrawn along the unfinished portion of the line.

These are the principal forfeited land grants; and the mischief wrought by withholding great areas of the public domain from settlement is aggravated by the facts stated in my previous paper, showing the withdrawal and appropriation of large quantities of land in excess of the amounts granted. The facts I have recited, which are given on the authority of official documents, are certainly remarkable. Under the forfeited grants made in 1856 millions of acres have been withheld from settlement more than a quarter of a century, and a considerable portion of the amount could have been restored to the public

domain by the Land Department at any time, having been withdrawn without authority of law. This is likewise true of a very large proportion of the land forfeited under later acts. If the grant was not *in presenti*, or the withdrawal was ordered before the definite location of the road, as also in the case of indemnity sections withdrawn before their selection, the Department is competent to restore the lands to settlement without the intervention of Congress. But it declines to undo its unauthorized acts. It proceeds on the remarkable theory that its duty is to take care of the railroads instead of serving the Government and holding them in check. It devotes itself to their service as if specially employed for the purpose. The positive direction of Congress is, therefore, absolutely necessary as to all forfeited lands, whether withdrawn by the operation of the granting acts or the unwarranted orders of executive officers. Why should this duty any longer be shirked? Why should Congress hold back from settlement vacant lands equal in area to the empire wrested by our fathers from Great Britain? It is certainly the true interest of the Government to make its public domain as productive as possible by offering it in homesteads on reasonable terms to men who will improve them, and thus coin their labor into national wealth. It is equally the interest and duty of the Government to encourage the policy of small farms, compact communities, free schools and equality of rights. To doom to solitude vast districts which thousands are anxious to appropriate for their own comfort and independence and the public good is as stupid as it is unjust. It is an offense alike against humanity and political economy. To do so in deference to corporations which have violated their faith with the Government is still more flagrantly indefensible. Our policy in this respect implies that the settlement of our public lands is an evil against which the nation should defend itself by a tariff of prohibition, and that the cultivation of the soil, which, as Vattel says, "feeds the human race," is an occupation so disreputable or mischievous that it should be discountenanced by the studied and systematic action of Congress. In defiance of reason and experience the suicidal folly still goes on. At every session of Congress during the past ten years some member has introduced a bill declaring forfeited one or more land grants, and had it referred to the appropriate committee, in which it found its tomb. If he was in earnest, and not merely seeking a little cheap capital, he soon found, to his surprise, that Congress was in no mood to entertain the question. The mesmeric power of a brotherhood of great corporations was in the way. When the question finally

reached the Judiciary Committee of the House of Representatives, at the last session of Congress, as I have shown, it made a report which perfectly echoed the wishes of the railroads. Meanwhile, the great corporations and some of the minor ones continue to dispose of their land grants exactly as if they had not been forfeited, as they have the right to do under the ruling of the General Land Office and the Department of Justice, until Congress shall interpose by restoring the lands to settlement.

Will Congress do this? It heeded the voice of the people in 1871, when it suddenly paused in the work of squandering the public domain; and it will heed that voice now if proclaimed with equal unanimity and emphasis. Nothing short of this will meet the emergency. The people must again speak, through the press, in their political conventions, in their party platforms and in the resolves of State Legislatures. The rescue of the public lands from the clutches of faithless corporations must be brought to the front as a question of the first magnitude and of immediate practical concern to the whole people. No other question outranks it. The failure of Congress to open these forfeited lands to settlement must be understood as equivalent to regranting them. Silence gives consent. Non-action, to all practical intents and purposes, is action for the corporations. The only service they ask of Congress is to be let alone, and every member who lets them alone makes himself as responsible for this continuing theft of the public domain as he would by voting day by day to prolong it. When this fact shall be brought home to the people Congress will not hesitate to execute their wish. No member of either house would vote to revive these grants, because such a vote would certainly retire him to private life; and yet they are revived in fact through the default of Congress, which escapes the responsibility. The people have been strangely deluded by the notion that the duty of their representatives ended with the abandonment of the land-grant system a dozen years ago, while in truth they have been far more recreant in dealing with these forfeited lands since that date than they were in granting them. They have won the favor of the railways by abetting their wholesale spoliations without offending the people who have been betrayed. This remarkably successful game has been played long enough, and it only needs the daylight of facts and the attention of the public.

GEORGE W. JULIAN.

THE STORY AND THE MEANING OF THE NEW YORK ELECTION.

THE first steps toward the establishment of a new Democracy have been taken in the State of New York. On the morning of the 8th of November last the country heard with surprise that a party long distrusted by the people had been successful in that State by a majority of 200,000 votes. The good citizenship of every element alike rejoiced at the victory. Men from whose hearts the last spark of party enthusiasm had almost vanished felt the influence of returning fire. It was a victory of honest Republicanism and honest Democracy, and, for the first time, the masses of each party felt the sense of kindred interest and purpose symbolized by the identity of party names.

While the influences operating upon the public mind were felt in other States, and were largely manifest in those immediately adjoining, in New York they seem to have originated and exhibited their highest power. The result of the election sprang from no immediate causes, and was due to no party management. It was an effect of a persistent attempt to educate the people to the fact that the mechanism of party organization represented them no longer. When the overwhelming evidences of this truth were pressed upon them the bond of party organization was broken, and relief was found in the united action of elements which recognized the common interest of citizenship in the overthrow of a discredited system and all identified with it. For the first time the influence of the venal and corrupt, controlling the caucus agencies of parties and relying upon the habitual obedience of the party masses to its dictates, was confronted and nullified by the action of the intelligent independence united to resist the thralldom of party organization. The aroused moral sense of the people, educated by grave events to the dangers of political methods, asserted its demands for a government managed upon a higher standard and suited to the requirements of unselfish citizenship; a government not in the interest of politicians, but a government for the people and by the people.

Lacking the powerful influence of great issues which excite and centralize public action, in recent years the party machine has been compelled to rely upon its own resources in the control and distribution of patronage as the chief agency holding together its supporters;

and its operations have been exposed to the public eye, no longer distracted by the scenes of civil warfare. Before the gaze of the people have passed in panoramic view events well calculated to rouse indignant resentment and to challenge the spirit of the most conservative. In a brief period of six years they had seen a President rejected by the people installed in office, mainly through the emphatic claims and active energy of leading managers of a national party machine; they had witnessed, four years later, the sacrifice of a candidate for that high office through selfish greed for the spoils of office exhibited by factions in the metropolis of the country. The tranquillity of the public mind had been again disturbed by an unseemly contest between the Senators of States and the President of the country for the possession of patronage; and finally, they had witnessed as an outcome of that struggle the death of the President at the hands of an assassin, who, in the commission of the crime, had given utterance to his motive and added a new enormity to the events which had immediately preceded it. These, with the thousand circumstances of daily occurrence, no less important as evidence of political degeneration, led the people to distrust and then to utter their condemnation of that party fidelity which sought on frequent occasions to furnish proof of its sincerity by the commission of offenses repugnant to public order and decency. They were led, gradually, to attach baser motives to acts so foreign to patriotic endeavor and so dangerous to the public welfare. They had hesitated and reflected in 1876, the truth had begun to dawn upon them in 1880, and at the final tragedy their eyes became fixed upon the motive and the agency of crime. The motive was patronage; and the agency the party machine. A short time only elapsed before the bond which connected the men and the agencies capable of these enormities with the people was broken; the instinct of fidelity to party leaders and agencies was undermined; while the attachment to principles, no longer constrained by a mechanical party allegiance, found a new purpose in emphasizing the demand for a new Republicanism and a new Democracy.

The State of New York has been the chief battle-ground of the contending forces. An aroused citizenship in the metropolis had, in 1878, escaped from the clutches of a political machine which had exercised a sway so despotic as to be without parallel in municipal history. The man who had been most instrumental in securing their release had been denied the legitimate reward of his labors, while a

new evidence of popular helplessness was presented when the leaders of opposing factions, five years later, on the eve of a presidential election, assorted the public nominations of the city by lottery. Excited by this transaction, an aroused public spirit, eager to condemn the leaders in the city, carried its indignation to an extent which involved the defeat of the party in the nation at large. Party reorganizations, initiated in good faith, but diverted to the uses of politicians, were undertaken upon plans well calculated to afford the shadow while denying the substance of representation to the people, in the two leading cities of the State, and met with the prompt and merited disapproval of their citizens. The systems and the men identified with the events which had compelled the public disapproval retained their hold upon the party organization. In New York city the better leaders were assigned to subordinate positions, and, two years later, were roused to rebel against the mechanism they had produced, while the reorganized County Democracy, after struggling with varying success with the Tammany element, finally found an appropriate resting place beneath the welcoming wings of its adversary. Chastened by defeat, having felt the power of moral forces, Tammany was not wholly callous to new demands, and the spirit of independent citizenship in the city now gives promise of a purer popular movement as the heritage of the death of the party of the reorganized politicians. In other cities of the State the same spirit of public independence was shown, and in an unorganized form its activity has proven efficient. In Troy, in Buffalo, and in Albany, at local elections, regardless of the pretensions of leaders who no longer clouded the secret community of interest existing between the "stalwarts" of both parties, the people made common cause against their common adversary, and the legal quibbles, the fraud of the ballots and the violence of action employed to preserve power and to set at defiance the declaration of the public verdict, have confirmed the correctness of the popular perceptions. In Brooklyn an attempted reorganization upon the New York plan was nullified by a surrender, on the eve of the first election which ensued, to the element it was sought to displace; but the people, assuming the task which the politicians had abandoned, applied the corrective by administering both to the reorganizers and their factional adversaries an emphatic rebuke. When, in the following year, the attempt to reorganize the Democracy was again made, the new organization immediately fell a prey to the old managers, and the most active supporter of the scheme to gal-

vanize a corrupt element into life was rejected at the polls in a city which gave the Democratic candidate for Governor a majority nearly double the total vote received by his Republican competitor. Such in the main was the situation in the Democratic party of this State when in 1882 the contending forces were gathering in hostile array.

The third term agitation preceding the meeting of the Republican National Convention in 1880 had prepared the public mind to appreciate the force of events which followed in rapid succession. The "Stalwart" 306, who had faithfully clung to the standard of Mr. Conkling, enlisted with ardor in the presidential campaign, inspired by the hope of official spoil; the adherents of Mr. Blaine, uniting the incongruous elements of independence and corporate power, looked forward with varying motives to the triumph of the party at the polls. The truce of personal hatred and ambition could not long outlive the accession of the new administration to power. Symptoms of distrust and disintegration immediately appeared, and the people, trusting the harmonious assertions of leaders of the various factions, who had united in extolling the virtues of the new President, failed at first to appreciate the alarming harbingers of the coming storm. To them the selection of a man of recognized capacity, like Mr. Blaine, as an advisor to the President was a natural event; to the politician it was one of dangerous significance. The gloved hand of iron presented to the New York senators the compliment of the first appointments of that State, which, while calling forth the boasting acclaims of their adherents, did not soothe their sullen discontent. Those who weighed the influence of patronage upon the fortunes of party leaders waited and watched the developments of the policy of the new administration. The critical point was approaching, but had not yet been reached. Upon one appointment hinged the control of the party organization in the State, and in it was involved the question whether senators should stand forth in the pride of manhood and speak the voice of their party, or sink into insignificant automatons which would bow to the pressure of a superior power. The blow came, and it was not unexpected. The rival of Mr. Conkling in the nation had chosen for the position of commanding power the rival of Mr. Conkling in his State. The decision of the New York senators was quickly made. To have remained in their seats under the frown of the administration would be fatal, and they adopted the only remaining course. They resigned and appealed, not to the people, but to a Legislature whose abject sub-

missions to their commands had been exhibited by daily incidents. Sixty "Stalwarts" of that body reaffirmed their allegiance to their masters within twenty-four hours. Popular dissatisfaction began to show itself; two weeks must intervene before the senators could be returned, armed with the moral power of their State. The popular murmurings were sought to be appeased by the injection of grave constitutional questions into the controversy, and upon opposing sides were arrayed those who advocated and those who denied the right of the President to appoint his subordinates without consulting the senators. The public mind was fast settling down to a condition of doubt, when the *New York Times*, which up to this time had not been unfriendly to Senator Conkling, exposed the real issue, which involved the control of the New York Custom House, and with it the delivery of one hundred delegates from New York and Brooklyn chosen to the Republican State conventions at farciful primary elections. These carried with them the control of the party in the State. The people saw with new light; public indignation was intensified; the press of the nation took up the cry, and the new evidence of machine power and popular helplessness proved to be a wedge which broke the party in twain. Then it was discovered that it was not the people who selected governors, nominated presidents, and gave weight and power to senators; but that the most potent influence was the will of a collector and the activity of Custom House dependents. When the time for balloting had arrived it was found that the "Stalwarts'" strength had fallen from sixty to thirty-four. From May until July the balloting continued, and then an event occurred which forced an immediate settlement of the issue. The problem was solved by the murderous hand of Guiteau.

Whatever may have been the view entertained of the qualities of Mr. Garfield by political thinkers and politicians, his nomination was looked upon by the people as a triumph over an element in his party identified with practices most repugnant to public policy, while his utterances had inspired the hope that the policy of administrative reform would be the keynote of his administration. The mild policy of his predecessor had finally closed the Southern question as a disturbing issue, and every indication pointed to an early realization of the public hopes. The death of Garfield and the past associations of his successor broke abruptly the current of popular thought, which had centered its affections upon the new Executive; and during the dreary year while the people watched at the bedside of the departing

President they were absorbing in solemn reflections the impressive lessons of the recent past. Tendencies were then implanted which are now moving on to their destiny, and the compromises of factions cannot avail to change the direction or diminish the force of the influences springing from that event. The assertion of the power of independent elements could no longer be delayed.

The outcome of the senatorial contest was not reassuring. The machine was temporarily overthrown, but invited by the mechanism of the caucus, so susceptible to the control of the few, a new force, no less selfish and still more dangerous, seized upon the agencies which had been abandoned by the office-holding element. Mr. Depew, the counsel of the New York Central Railroad, had been the chief competitor for the seat of Mr. Conkling; Mr. Miller, a vigorous protectionist, had been chosen as his successor, to the exclusion of more thoughtful and unselfish leaders like ex-Senator Rogers, of Buffalo; while Mr. Robertson, who had been connected with the same corporation, held the central position of power in the party of the State. The disclosure of this situation awakened distrust in the public mind, and aroused to action that force which under the name of Anti-Monopoly is now permeating the politics of the country. In the Republican convention, which met in the fall, the corporate element contented itself with the nomination of one State officer, Mr. Husted, a resident of Mr. Robinson's county, while the presidency of the convention was assigned to Mr. Depew. In other regards, the most prominent actor in its deliberations was Mr. Miller, the senator. Its action was substantially free and was indorsed by the people at the subsequent election Mr. Husted alone being defeated by upwards of 20,000 votes. The watchfulness of the people was evidenced in the choice of members of the Legislature, and it was discovered that, while they had given the State to the Republicans, their unorganized votes had reflected their views upon the senatorial contest, and had transferred a Legislature which had been 105 Republican to 54 Democratic into the hands of the last-mentioned party. The strength of the anti-monopoly principle was shown in the election of the State Senator in New York City over the combined opposition of both "regular" organizations, and a short time later by the choice of another member of the Senate over a Republican competitor in a district which before that time the Democrats had not deemed it wise to contest.

The position of President Arthur was extremely embarrassing. He

could not have failed to perceive the excited condition of the public mind, yet obedience to its instincts demanded the abandonment of those associated with his political fortunes. In the State of Pennsylvania his party was openly divided and at war, and the first evidence of his sympathy with its regular organism was greeted with murmurs of disapproval. Not fully comprehending the significance of recent events and unmindful of their permanent influence, the purposes of the administration were gradually unfolded in the selection of a new Cabinet. The names of independent men were presented as being in favor with the administration, but at the critical point they were discovered to be unsuited to its designs. The independent forces in New York State had pronounced their acceptance of Mr. Wadsworth as a candidate for Governor early in 1882, and exhibited their disposition to unite with the administration in his behalf, when, within a week of the meeting of the New York and Brooklyn primaries, at which 100 delegates were to be chosen, Mr. Folger was put forth as the favorite of the President. An almost solid delegation was appointed by the respective "bosses" of those cities to urge the claims of that gentleman in the Republican State convention.

The anti-monopoly sentiment had, in the meantime, rapidly extended throughout the State. From the character of the committees appointed, the treatment of anti-monopoly and primary reform measures, the failure of an attempted impeachment of the judge charged with the unjust use of his powers in the interest of corporations, and the success of measures relieving those bodies from taxation, it became evident that corporate and machine influences dominated the policy of the self-constituted Democratic leaders of the State. Immediately before the meeting of the conventions of the respective parties, it was asserted that ex-Senator Conkling, whose name had been associated with rumors of a combination connecting him with Mr. Depew for the purpose of sending those gentlemen to the Senate, had applied to the Governor to sign an important public act in the interest of an elevated railroad. The unfriendly relation existing between Governor Cornell and the national administration was made apparent to the people through the columns of the Republican newspapers, and the issues which they enforced with vigorous persistence involving the question whether the allied forces of the machine and the corporations should dominate the action of the Convention and prevent the nomination of a Governor who had refused to bow to their will, widened the gap and intensified the feel-

ing which separated the citizen from the politician element of the party. By a happy stroke the fortunes of Governor Cornell were identified with the forces of Anti-Monopoly, and the independent sentiment of the party promptly rallied to his support. Success to the endeavor to secure his nomination meant certain Republican victory; defeat involved the utter overthrow of the party.

The aspect of affairs in the Democratic party of the State was not encouraging. The efficient power in that organization was exercised from Albany and Brooklyn, the latter place furnishing the largest representation in the State conventions since the independent action of Tammany had placed that element in the position of rebels toward party "regularity." Additional recruits were furnished from other cities in the State, where packed primaries and purchased conventions supplied the desirable material. Whatever may have been its importance in New York City politics, in the State Tammany was defenceless. The strength of its opponents, so far as upright public opinion confirmed their power, rested upon the slender assumption that they had been the special exponents of the reform policy initiated by Mr. Tilden; and the enforcement of this view, in their opinion, required that Tammany Hall, as a political factor, should be utterly ignored. With a clear perception, the leader of Tammany saw that its restoration depended upon allying his organization with the reform elements of the party in the State, and it early became a champion of the anti-monopoly principle. It became evident that if the Democracy of the State were to profit by the divisions of their adversaries and move upon a higher political plane, assistance within the party must be rendered by the leader of Tammany Hall. In controlling the incongruous material which forced itself to the front of that organization, he had given repeated evidence of his fidelity to the popular interest.

The local elections which were held throughout the State in the fall of 1881 and the spring of 1882 had shown that the spirit of independence was by no means confined to the Republican party. In Brooklyn Mayor Low, with the assistance of independent Democrats, had overthrown a Democratic majority of nearly 30,000. In Albany, a Democratic mayor, elected by a phenomenal majority two years before, was defeated, and thus at the two centers the people had expressed plainly their disapproval of the leadership of the managers of the Democratic party in the State. The County Democracy of New York, having a representation in the councils of the party far

beyond its legitimate strength, was useful only in adding its votes to the predominant faction of the party. In nearly every city, between the ring element of both parties an excellent understanding existed, and whichever triumphed a fair division of rewards was certain to follow.

The original plan of the independent Democrats looked to the overthrow of the party with which they were identified as furnishing the best hope of forcing its machine leaders into retirement. The latter had acted upon the assumption that their interests could be best served by excluding Tammany from the councils of the party, while compelling its support of the candidates they presented; but a combination of independent influences in the State, it was thought, might prove fatal to their continued control. To organize this opposition an Anti-Monopoly conference was called at an early date, but the rapid march of significant events produced a state of uncertainty which rendered advisable an adjournment for a considerable period. In the meantime a movement was initiated to secure the control of the Democratic convention.

In the Assembly of 1881 Mr. Hickman, of Buffalo, alone of the Republicans, had manfully recorded his vote for the primary reform measures pressed upon public attention by Mr. Brooks. This act had not escaped the keen sight of the Republican managers of his city, and the commission of the unpardonable offense caused them to refuse him a renomination. He became an independent candidate, and the question of ring rule was tried as the main issue at the city election. In a district 2,500 Republican, Mr. Hickman was elected over the regular nominee of that party by a majority of nearly 2,000, and, upon the same ticket with him, a man, then unknown outside of the precincts of his neighborhood, was chosen by a large majority as the Mayor of the city. The name of that gentleman was Grover Cleveland.

The two political conventions of the leading parties met in the latter part of September. The "machines" of the cities rallied to the support of Mr. Folger, and he received in the convention from counties containing cities, 182 votes, while his competitor from such counties received but thirty-six. In the other counties of the State, where the primary agencies of the party were more free, the vote for Mr. Folger was forty-one, and that for Mr. Cornell 144. The independent elements of both parties, and the Anti-Monopolists, awaited with interest the action of the Democratic convention. Two days thereafter

it met and nominated Mr. Cleveland, and to that nomination they immediately gave their united and hearty indorsement.

The associations of the candidates and the events which had preceded the meeting of the convention had presented a clear issue on the part of the people against the "bosses," the "machines" and the corporations, which now rallied unitedly to the support of the Republican candidate. The Young Republican Club of Brooklyn, on the other hand, condemned in emphatic language the nomination of Mr. Folger, and its utterances found a friendly reception in every portion of the State. Men of high character in the Republican party entered the campaign as open advocates of Mr. Cleveland's election, and the independent Republican press saw and seized the opportunity of administering a crushing defeat to the managers of that party. The strong declaration of Mr. Cleveland for an absolute reform of primary elections gave additional force to the gathering power of the popular sentiment. In vain did Senator Miller and Mr. Depew coalesce with their factional enemies, and rally their "Half-breeds" to the party standard. The unanimous nomination of Mr. Folger in the Republican convention, made on the motion of the Senator, expressed only the voice of the political factionists there gathered in council, and was plainly not the voice of the people.

At the election which followed Mr. Folger received 342,464 votes. Mr. Garfield, two years previous, had received in the State 555,544. The vote for Mr. Cleveland was 535,318, being 192,854 plurality. Twenty-three thousand Republicans voted for the Prohibition ticket; 53,000 for Cleveland; 15,000 refused to vote the Republican State ticket, while voting for its candidates named upon other ballots; and for reasons arising out of the issues of the contest, 50,000 remained at home. In the cities of the State in which the machine was most powerful and oppressive, and which in the Republican convention had contributed their votes for Mr. Folger, the rebuke was most emphatic. In New York, Brooklyn, Albany, Erie and Oneida counties the vote for Mr. Folger was below that for Mr. Andrews, an associate upon his ticket, who received the actual Republican vote, 35,684; in the remaining fifty-five counties the excess was only 20,919. Each of the four counties mentioned contained a "machine" which was the target of the vigorous protest¹. In Brooklyn, which a year prior had chosen

¹ The Prohibition vote is usually about 4,000 in the State. At the election in 1882 it was 25,000. About 23,000 probably represents the number of Republicans who voted that ticket. Of this number New York, Albany, Erie and Oneida counties contributed only

a Republican Mayor, the vote for Mr. Folger was 26,148, and Mr. Cleveland's majority was 39,488.

Thus it will be seen that the five counties upon which the forces interested in the reform of primary methods operated in a direct manner upon public opinion contributed far the largest part of the accessions to the vote of Mr. Cleveland. The canvass had been conducted without energy, but the people had in quiet accord resolved that until they were given full part in the selection of candidates they would refuse to assist in the election of those chosen by "bosses" and "machines;" and they made this resolve manifest in condemning the candidate for Governor, who, while his private and public character could not be challenged, was nevertheless identified with the elements which had aroused the indignation of the people. They recorded their approval of the man who had presented as the main issue the reform which was nearest their hearts, and of whose necessity repeated outrages, cognizable to their own senses and committed at the doors of their own homes, had furnished ample justification. The influence of the press was never favored with a more convincing demonstration. Led by the *New York Times*, the *Albany Journal*, the Buffalo (Erie county) *Express* and the Utica (Oneida county) *Observer*, each of which had pressed the reform upon the Legislature, the people responded in positive tones; and that their meaning might not be misunderstood after the election most of these journals reiterated this demand for a preliminary election at which the public voice could be made free and efficient in the selection of candidates for office.

The spirit which permeated the minds of the people of the State had been expressed in no better language than that uttered by Mr. Deming, the president of the Brooklyn Young Republican Club, at a banquet given in his honor. In relating the motives which had led to his course in the campaign that gentleman gave utterance to the following language:

By endeavoring, practically, to attend to my own political duties I had discovered a thralldom, a slavery more infamous, because more intelligent and devilish and ingenious

4,000 votes. This vote added to that of Mr. Folger in those counties would still leave him behind Mr. Andrews 31,000 votes, while if the remainder of the Prohibition vote (19,000) were credited to Mr. Folger it would bring his vote in the fifty remaining counties within about 2,000 of the vote for Mr. Andrews in those counties. The half vote against Mr. Folger given for the Prohibition ticket does not fully exhibit the reason why it was withdrawn from the Republican party, while there can be no question as to the purpose of those in the five counties named whose protest was made manifest in the transfer of their votes from Folger directly to Cleveland.

than the slavery against which we fought in the great fight of the Rebellion. I discovered that, in some way or other, there had grown up a method in politics which reduced the American citizen to the position of automaton. I found that men who said they took no interest in politics did not mean that they were not patriotic, but they meant that it was of no use, they could not make their influence or their wishes felt. And then, gentlemen, every fiber of my being revolted, and I swore a solemn oath that while life lasted I would battle for freedom, for the political emancipation of the American people, and a change in political methods which should guarantee to every American citizen a full voice in the conduct of public affairs.

In a letter addressed to the Young Men's Democratic Club of New York, in November, 1880, immediately after the presidential election and at the inception of the independent movement in the State, the writer made use of the following language :

The recent election has resulted in the practical disorganization of the Democratic party. It has opened the way for a new popular movement, which must draw its nourishment from Democratic principles and absorb its numbers from the Democratic masses. It may do so within and under the name of Democracy or some other, but the vital idea it must embody, the aggressive issue it must present, has received its form in the result of the recent election. It must confront and overthrow both the imperialism of party and the imperialism of government.

It must recognize that the old-time Democratic principle of hard money, strict construction, home rule, revenue tariff, the supremacy of civil over military power, strike at the very root of Grantism, centralization, illegitimate corporate and other monopolies protected by the favoritism of government, and insure justice and economy in its management. When these principles strictly adhered to fail to stem the tide of imperialism the end of the Republic is at hand. The Democracy will never present the issue so long as the love of patronage leads it into the alluring embrace of false gods. The distrust of the party, and the confidence in the leading exponent of its true principles, Mr. Tilden, exhibits alike its pathway of duty and victory.

To end, finally and forever, the imperialism of the party it must not strike at men but at systems. In the nation at large the people are controlled by a system of bosses and machines, and it is a significant fact that, whether in New York, Philadelphia or Brooklyn, with no uncertain sound they have condemned the representatives of this system. To substitute Irving Hall for Tammany Hall would be no remedy. It would change men and names but not methods. That which gives to New York Tweedism will as surely operate in all its tendencies toward a new product of the same nature and legitimacy as the long-continued possession of power leads to consolidation and imperialism.

No partial change of system will be efficient. The people must be invested with as absolute a power in the control of the party as they possess at the election; they must exert their voice in the same way by ballots direct for candidates, and in casting their ballots in making nominations they must have the same protection they are afforded in the final expression of their will.

Every principle therein urged has already felt the refreshing influence of the new atmosphere following the recent victory. Some, waking as it were from the dead, are making ready for the march of triumph. The breath of popular feeling is dissipating the agencies of selfishness. From it the cohorts of corruption seek to hide, and, as they flee, the principles of a real Democracy, of equality and the

unselfish aspirations of mankind, take their place. The new popular movement has come to stay. Wrapt in its one endeavor to enfranchise the people, to assure their final victory over the agencies which nullify their will, is the fate of all these principles. Their new advent has followed one purifying assertion of the popular will, and every agency contributing to it, whatever may be its party designation, is identified with these kindred principles which spring from a common root.

In truth, at last, there has been a Democratic victory.

DUNCAN C. McMILLAN.

THE INTERNATIONAL REVIEW

EDITED BY

WILLIAM RALSTON BALCH.

CONTENTS:

	PAGE
The Influence of Sectarianism in Religion. WILLIAM MYALL - - -	227
Poems of Napoleon's Decline. DORSEY GARDNER - - -	248
The Growth of Internationalism. ALBERT SHAW - - -	267
Of What Use is the Bureau of Education. JOHN EATON - - -	284
Safety of Life at Sea—The Trust to Providence System. J. W. SHACKFORD - - -	291
Contemporary Life - - -	300
Contemporary Literature - - -	306

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THE INTERNATIONAL REVIEW.

APRIL, 1883.

THE INFLUENCE OF SECTARIANISM IN RELIGION.

THE decline of faith within the last century is a subject that has attracted very wide attention, and has been accounted for upon many different hypotheses. It may be very generally stated that the amount of skepticism or unbelief now prevalent in the world is greater than has ever been known since Christianity first established itself in Europe. From the constitution of the human mind, it is perhaps inevitable that in all ages of the world there should be certain persons who are not able to accept the current religious ideas of their period. Such persons have been, generally, in the past, persons whose minds were trained to rigid and logical methods of thought, who had been accustomed to analyze all questions of belief and to regard reason, fortified by proof, as the only reliable basis upon which conviction could be founded. Men whose religious skepticism is thus based upon sincere conviction are usually men of thoughtful, earnest lives, of fair reasoning powers, and of something above the average of intellectual culture. The tendency of science and philosophy toward skepticism has often been remarked. But if this was true in the past, it is true to a much greater extent in the present. Many will regard it as a deplorable fact that among the scientists of this age it is almost impossible to mention a single one of any considerable degree of prominence who is a believer in the dogmas of the Christian religion. And yet the lives of these men are such as to preclude the idea that their unbelief could have arisen from anything in the nature of moral perversity, or, indeed, from any other cause than merely an inability to give intellectual assent to doctrines which were irreconcilable with the

known results of science. Whether it is that this state of affairs is due to the irrational interpretations of Scripture made by the church, or to the faultiness of the Scripture interpreted, or to the false premises or false conclusions of science, it is needless for my present purposes to inquire. Certain it is that this state of affairs does exist. All the higher walks of science and philosophy are essentially *unreligious*, so far, at least, as an absence of faith in revealed religion may be called such. Here morality, transformed into a certain intensified humanity, has taken the place of religion, as the term has usually been understood. In other words, religion is here morality as distinguished from faith. It is a religion that promises nothing hereafter, but everything here that may be obtained from a life of the strictest rectitude, a life devoted to noble purposes, to the acquisition and distribution of knowledge, to the amelioration of the condition of mankind. To a religious consciousness of this sort, for one to have deserved the gratitude of his species is infinitely better than to have believed all the dogmas of the church, or to have subscribed to every article of the creeds.

The spread of these and similar ideas within the last century has been absolutely without precedent in the history of Christianity. Protestantism itself—that great revolt of the European intellect against the tyranny and immorality of the Church of Rome—scarcely took a firmer hold upon the human mind. Not only those who are able to grasp the numberless details of the sciences, or to comprehend the general drift and outline of scientific thought, not only those who have been accustomed to logical or analytical methods of reasoning, have been infected by the general spirit of questioning and unrest so characteristic of the age; but even minds which scientific thought could not be supposed to reach, and which are unable to pursue ideas to their logical results through long or intricate chains of reasoning, have not entirely escaped its influence. Nor are these doubts to be found only among the unreligious masses outside of the church. Even among the members of the church itself faith is so paralyzed as to be practically powerless. A Cincinnati minister, recently, in a remarkable sermon on the cause of the very marked decline in the attendance upon religious worship in the Cincinnati churches, stated that the sole cause of that decline was the current unbelief of the day, and that “when men no longer believe that which the churches stand for, it is not likely they will seek them for instruction or edification;” that “thousands of professed Christians remain in the churches to-day not

because they believe in their teachings or their methods, but simply from the power of habit and the force of circumstances;" that "the vital heat of faith has died out of the hearts of the worshippers, and no merely social or æsthetic glow can ever rekindle it again;" and that "the church not only does not attract the unreligious masses, but she is losing her hold on her own members."

Perhaps many will claim that this is an overestimate of the strength of skeptical ideas among our people; but it is not probable that so broad and unqualified a statement would have been made by a learned and careful man without a strong conviction of its truth, and the fact of such an admission being made is, in itself, the strongest proof of the extent to which the landmarks of the old faith have been swept away. Certain it is that the church, though constantly growing in numbers, has come far short of keeping pace with the increase of population in this country.

What, then, is the cause of this intellectual unrest that is agitating the whole body of society? Whence comes this unbelief that is silently sending its roots out in every direction of human thought and human life? Unquestionably, one of the prime causes is the great growth of human knowledge. Perhaps this is the one ultimate cause—the cause that lies at the root of all other causes. There can be no doubt that the development of knowledge—particularly of scientific knowledge—within the last century has gone far toward discrediting many of the fundamental doctrines of the church. It has discredited the miracles of the church by teaching that the laws of nature are eternal and invariable, admitting of no alteration or interruption. It has, in the belief of many, disproven the biblical account of the creation and age of the world, and has thus thrown doubt upon the doctrine of the fall of man, which has necessarily carried with it a doubt of the necessity of an atonement, since, if there was no fall, there could be no need of an atonement. This is a matter that goes to the very root of Christianity. The scientific theory of the creation of the earth and animated nature has forced itself upon the acceptance of unnumbered thousands of sincere and thoughtful men. The doctrine of evolution is not without its advocates, even in our pulpits. But an acceptance of the scientific theory implies a rejection of the biblical account as heretofore believed and taught by the church. Perhaps the Rev. Joseph Cook may be able to reconcile such a position with the doctrine of the fall and the atonement, but I do not doubt that it would plunge the average mind into the very depths of skepticism.

It would, however, carry us much beyond the limits of this paper should we attempt to examine the ways in which the growth of knowledge has influenced the spread of religious doubt, but great as has been its influence in this direction upon certain classes of minds, it has not affected the popular mind so much as the multiplication of religious denominations. This multiplication is, I apprehend, the necessary consequence of the success of the Reformation and the establishment of Protestantism. But Protestantism, being as it was an expression of the world's demand for freedom of thought, represented merely the inevitable result of the evolution of ideas. The growth of knowledge had reached that point when the Reformation became a necessity. But the separation from Rome once made, the right of private judgment in matters of conscience once established, that which has followed, followed as a matter of course. It might very well have been predicted by any one who had a competent knowledge of the action of the human mind, immediately upon the adjournment of the Diet of Worms. The Reformation, by placing the Bible in the hands of the people and recognizing every man's right to interpret it according to his own conscience, opened an immense floodgate to opinions that have resulted in the practically numberless sects into which Christianity has been divided. It is a curious fact that no two minds are constituted exactly alike—that no two men are able to see things in exactly the same light or to come always to the same conclusions from the same premises or the same kind and amount of proof, except when mathematical demonstration is possible. Hence no sooner was the right of private judgment in religion recognized than numberless conflicting opinions arose, and out of these opinions, by a species of necessity, came the host of Protestant denominations.

Perhaps it would not be an exaggeration to say that the Roman Catholic church is the only logical and organized system of religious belief known to the Christian world. It is the first link in a chain whose last link is what is known as free thought, skepticism, or infidelity, according to the bias of the speaker. Denying the right of private judgment, and referring all questions of faith to the decision of Pope or Council, which is thought to be final and unerring, it is a sort of court of last resort in all questions of belief, and the mind of the devout believer reposes upon its judgments with a sense of complete rest and security. The individual in becoming a member of that church in effect surrenders his right of forming his own opinions upon questions of faith, and submits his own judgment to what he considers the

superior wisdom of the church. And it is only by the recognition of some supreme and paramount authority to which all must submit that the boundaries of faith can be accurately described. The mind of the Roman Catholic is never in doubt as to the interpretation of Scripture or as to any article of belief. In all such cases he has only to inquire what the church has held upon these subjects and that is to him as the voice of God. There is no excuse for his being mistaken as to what he shall believe in order to be considered orthodox. All questions looking toward his salvation are settled for him. The doctrines of his church are laid down as by line and plummet, and he is told plainly what he shall believe and what he shall reject. Now, so far as the cause of truth and of intellectual liberty is concerned, a system of this sort is as pernicious as we could well conceive it to be, for its constant aim is to suppress the truth by destroying knowledge and enslaving the human mind. On the other hand, if the interests of religion only are concerned—the maintenance and propagation of religious ideas and faith—it is the very best system that has ever been devised by the mind of man. By disposing authoritatively of all questions upon which doubt or perplexity might arise, it furnishes an anchorage for timid and sensitive natures amid the storms and unrest of life. The believer is taught that in the bosom of the church and there alone rest and peace are to be found. She is the only visible representative of God upon earth. As such her decrees are final and infallible, and the devout Catholic has only to accept her utterances and submit himself passively to her authority and all is well. To men and women engrossed in the daily struggle of life, and unfitted by their education or by the exigencies of their lot to determine these all-important questions for themselves, such a religion has always been peculiarly attractive. How firm a hold it has taken upon the human mind may be understood from the fact that for many centuries it was almost the only religion of the Christian world. Its incredible vitality in the midst of hostile times and antagonistic civilizations is best seen in the way in which it checked the spread of the Reformation at a time when it threatened to sweep away every vestige of the Papacy and to overwhelm the long-established religion of the world; and that its roots are still sunk deep in the affections of mankind will not be questioned by any one who is familiar with the manner in which its numbers are increasing every year.

When we turn to Protestantism, on the other hand, everything is changed. Here nothing is fixed, nothing is ascertained—everything

is at sea. The boundaries of faith are left undescribed, or, if described by one are rejected by another. There is no fixed tribunal recognized as competent to determine authoritatively all matters of conscience, but each must form his own judgment according to the best light he has. In the interest of truth and knowledge, it will at once appear that the establishment of Protestantism was one of the most important events in the history of mankind, but in the interest of dogmatic religion nothing more unfortunate could possibly have happened. It tore away all of the accustomed landmarks of belief, it obliterated all of the boundaries of faith and set the human mind adrift upon a sea without harbor and without shore. A practically unlimited number of sects arose, holding conflicting opinions, and even the members of each sect often differing widely from each other on important questions of faith. So far indeed has this disintegration been carried in our own day that it is next to impossible to determine who are Christians and who are not. If, for instance, we should ask what it is necessary to believe in order to be a Christian, the Presbyterian would give us one answer, the Methodist another, the Baptist another, the Unitarian another, and so for the whole number of sects into which the church is divided, each defining the term according to its own belief, and each, perhaps, differing from all the others in some material point. On the contrary, it would be equally difficult to determine what may not be believed without incurring the penalties of heresies, or what particular doctrine or doctrines would disqualify one from holding membership in some one of the numerous Protestant denominations, and yet all of these denominations claim to be branches of the Christian church, and perhaps each one believes itself better or nearer the truth than any of the others. Its separate existence could not be excused or justified upon any other grounds. To illustrate this point, let us take, for instance, the doctrine of Evolution. Nothing could be more utterly inconsistent with all of the fundamental tenets of Christianity. It rejects the whole creation hypothesis; it denies the biblical account of the origin and fall of man and the consequent necessity of an atonement; it denies the divinity of Christ and the divine origin of the Christian religion; it sweeps away the mighty gulf that has been supposed to exist between man and the lower animals, by teaching that he is separated from them only by his superior development, and thus either disposes entirely of the belief in immortality or places man and the lower animals upon an equal footing in this regard, since, if he is only a highly developed

animal he cannot expect any other existence than that which he himself accords to the animals beneath him. It is known that the great majority of persons believe that to the whole of animated nature beneath man death is annihilation. But if, as the doctrine of Evolution teaches, man is himself only a higher development of this same lower animal whose existence ends with death, must it not be that to him too death and annihilation are the same? According to this doctrine the change from the lower animal up to man is not a change of kind but simply of degree. But the change from the mortal to the immortal is one of kind, and one which could never be effected by the process of natural growth upon which the doctrine of Evolution is predicated, so that for one holding this doctrine the exclusive claim of immortality heretofore made for man must be renounced. Now, to one familiar with the stern, uncompromising theology of Warburton and Jonathan Edwards, it might seem impossible that a person believing such a doctrine could find acceptance with any branch of the Christian church, and yet how many thousands there are, both in this country and in Europe—in Europe particularly—who are acceptable members of the church and yet are in substantial agreement with all that the Evolutionist claims. It is an apt illustration of the temporizing spirit of the age and the tendency toward skepticism even within the church itself, accompanied, at the same time, by a desire to preserve as much of the old faith as possible, that vast numbers of professed Christians, and not a few of them in the pulpit, openly accept the doctrine of Evolution, claiming only that God was the originator and designer of the process, and that the development of life and matter has taken place in accordance with laws prescribed by him. So far, however, as the practical effect of the doctrine is concerned, it matters little whether it is conceived to be theistic or atheistic, for in either case the development of all living organisms from the same initial form of life is equally destructive of the doctrine that man was created in a state of absolute moral, mental and physical perfection, whether we conceive the development to have taken place with or without the interference of the Deity. In other words, the one doctrine teaches that man's present imperfect state is the result of his fall, through sin, from that perfect condition in which he was originally created; the other doctrine, whether we take the theistic or the atheistic view of it, teaches that man was never created at all, in any sense in which that word has ever been understood, but that he has reached his present exalted position, through a natural process of growth, from the very simplest form of

life, and that all other living organisms have reached their present position through exactly the same process of development from exactly the same first principle of life.

It will be seen at once how direct is the conflict between this doctrine and those doctrines that lie at the very foundation of the Christian religion. Whoever accepts it in any form in which it has ever been presented by science, must necessarily reject the doctrine always held and taught by the church of man's original perfection and his fall, and the rejection of this dogma would seem to carry with it, by a kind of logical necessity, a rejection of the doctrine of the atonement. But in rejecting this you have rejected the very foundation upon which Christianity is built. Now, it is a fact that will not be questioned that within the church itself there are thousands of thoughtful men and women who accept the doctrine of Evolution in some form or other. Perhaps they are able to reconcile it with their belief in Christianity; but that they can do so is the very strongest proof of how utterly impossible it has become in our day to define the limits of faith, or to say what one shall believe or what he shall reject in order to be considered a Christian. It would seem that if a Christian may believe in the doctrine of Evolution there is nothing in which he may not believe. It is a question that has been very seriously considered by many persons as to whether, to be a Christian, one must believe in the divinity of Christ. It is well known that thousands of people who claim to be Christians do not have that belief and do not think such a belief necessary. Indeed, so far has the disintegration of dogma been carried in our day that it may almost be said that a man may not only deny the divinity of Christ and of the Christian religion, but that he may even deny the existence of a personal God and the immortality of the human soul and yet hold affiliation with some one or other of the various Protestant denominations. Not that he could gain admission by the profession of such beliefs, but that once in it is not probable that, if he afterward acquires them, he will be subjected to any unpleasant or embarrassing questions, or dismissed from the congregation on account of them. Now, it is quite true that this may not be said of all the Protestant denominations, for some of them are still exceedingly dogmatic and illiberal, and have made only such concessions to knowledge as it was impossible for them not to make; but it would be very difficult to mention any opinion that would disqualify the holder from claiming to be a Christian according to the standard of Christianity as represented by some one or other of these denomina-

tions. Even in those churches that have formulated systems of belief it seems to be understood that it is not necessary for the members to come up to the strict letter of the creeds; but in the more liberal branches of the church, where there are no written creeds, a person may generally form any opinion that suits him, and its orthodoxy is not likely to be brought into question. True, it occasionally happens that a minister is expelled from his church for preaching heretical doctrines, though perhaps the chief reason for such expulsion is generally more a desire to maintain an outward show of consistency than a conviction of the falsity of his views; but of the thousands of absolute unbelievers who hold membership in our churches, how many have we ever known to be expelled on account of their opinions? And yet we know that if the strict letter of the creeds were insisted on the ranks of the church would be decimated. That they are allowed to retain their places unmolested is not because their views are not known, but because of the apathy of the church, an apathy which has sprung from a conviction forced upon her by actual demonstration, that, admitting the right of private judgment in matters of belief, it is utterly impossible to prescribe any boundaries to faith. Perhaps the written creeds, where there are such, are sufficiently definite; but where is the church at this day that is zealous in inquiring whether its members come up to the strict letter or even to the spirit of these creeds, or where is the church that says to each of its members "you must believe in each article of this creed as it has been interpreted by the highest authority recognized by this church"? So far is this from being done that, generally, each member may interpret the creeds to suit himself, or may even practically ignore them altogether, and there is but little danger that he will be called upon to give an account of his opinions, if only his life is just, and honorable, and sincere. The church winks at heresies infinitely greater than those which, a few centuries ago, she would have exhausted all of her resources to crush. Should we go back to the theology even of the last century, or read the stern, terrible and uncompromising utterances which characterized the pulpit of that day, we would ask ourselves if it can be possible that the mild, yielding, inoffensive and temporizing religion of to-day is the same religion that burned in the sermons of Jonathan Edwards and gave to his theology its stern and unpitying aspect. Then the churches, for the most part, taught their doctrines plainly, without any evasion or any truckling to the spirit of the times, and those seeking or

holding membership in the church were expected and required to believe what the churches taught, whereas now the most that is expected is that men shall be kind and sympathetic; that they shall hate vice and love virtue, justice and mercy, and if they come up to this requirement it is not probable that they will be subjected to any unpleasant inquiries as to what they do or do not believe. Now the creeds themselves have perhaps changed but little, and many antiquated doctrines are still occasionally uttered from the pulpit, but it seems to be understood that these doctrines are not insisted upon with any expectation that they will be believed.

What, then, is the meaning of all this? It means simply that in the hearts of vast multitudes of gentle and loving natures faith is dead and cannot be revived, and that as a people we are without any settled form of belief, and are destitute of any fixed and determinate religious convictions. We do not doubt that in reply to such a statement a very large majority of persons would claim that they are believers in the Christian religion. Let us admit that they would make the claim, and make it sincerely, as we have no doubt they would; but if we should ask these same persons what is the Christian religion, what are its essential doctrines, and what must be done and believed in order to be saved according to its teachings, the result would be such a multitude of inconsistent and conflicting answers, and each fortified by so much skill and learning, that it would be quite impossible for any mind, however strong or clear, to determine which answer was the true one, or whether, indeed, any of them were true. Now, where so many churches are found flourishing side by side, each differing from the others, not only in government but in dogma, and yet, notwithstanding this conflict, each claiming to be, if not the only at least the best representative of Christianity, the impossibility that all of them, or indeed that more than one of them, can be true is a matter whose demonstration is given in its mere statement. Of two things which contradict each other one may be true; it is quite certain that both cannot. So of these churches which teach conflicting dogmas, it is possible that one of them may hold the truth, but if so it is certain that the others do not. But inasmuch as all claim to be founded upon the same authority, and prove their position by the testimony of the same witnesses, who are claimed to be inspired, who shall deem himself competent to determine which is the true church and which are the impostors? Now, when as a people we claim to believe in the Christian religion, but are unable to come to any under-

standing of what that religion is to which more than a very small fraction of our population can agree, can we be said to have any definite form of faith at all? Nominally this nation is Christian; but is it so in reality?

If we look merely at the moral side of the question we may hope to find something like a unity of opinion, for however widely we may differ from each other in our estimate of the dogmas of religion, there will be found at this day but little difference of opinion as to what constitutes the moral life. All will admit that temperance, mercy, justice and love are virtues, and that intemperance, injustice and inhumanity are vices. Even the most vicious persons believe, however much their conduct may belie the belief, that the virtues should be cultivated and the vices shunned. Now, notwithstanding the general laxity of faith which we have noticed as one of the characteristics of the age, the moral sentiment of to-day is unquestionably broader and better than at any previous period. There is more charity, more sympathy, more love and tenderness, a greater desire to know the truth and be guided by it, a stronger hatred of injustice, tyranny and wrong, and a deeper love of the true, the beautiful and the good than ever was known before. But morality is not Christianity. It is common to all religions, to Judaism, to Mohammedanism, to Buddhism, as well as to Christianity. That which makes one religion differ from another is its dogmas. The fundamental principles of morality are everywhere and at all times the same, but the dogmas of a religion are the religion itself. And this is especially so of Christianity. It exists only in its dogmas, and without them it loses its significance and its identity. If this is true it is quite plain that a belief in these dogmas, whatever they may be conceived to be, is necessary to any one who believes in the Christian religion. On the contrary, it is known that a man may be the strictest moralist without believing in a single one of the dogmas, or, indeed, in any religion at all, so that the morality of the Christian religion should not be confounded with the religion itself. Now, the tendency to give prominence to the morality and to suppress the dogmatism of religion has often been noticed and commented upon. It is only another phase of the question we have been considering. As the belief in the dogmas declines, the church, while still professing to believe and to teach them, silently pushes them into the background and teaches morality in the name of Christianity. Could we suppose one who had never heard of the Christian religion to walk into one of our fashionable churches, it is

not probable that he would go away after hearing the sermon with any real enlightenment as to what the religion actually was. Indeed, he might even attend for months without ever hearing of many of those great cardinal doctrines that were once believed in as the very soul and essence of Christianity. He would hear a great deal about love and charity and benevolence, about the duty of loving virtue and goodness and of hating vice and wickedness, but of the dogmas of the religion, which are the religion itself, he would hear exceedingly little. Perhaps he might even attend every Sunday for a whole year without learning that the church believes in a place of eternal punishment, to which her doctrines assign a vast majority of the human family. The reason of this is that many of her doctrines have become plainly useless and irrational and are no longer suited to the age. Take, for instance, the doctrine of hell, just mentioned. This doctrine has become exceedingly unpopular. The growth of human knowledge has brought us fixed and determinate ideas of justice and right, and mankind are unable to reconcile these ideas with the belief that God will inflict excruciating and eternal torments upon high, noble and generous natures only because they could not or did not believe the dogmas of the Christian religion. How many tender, loving natures have died without this belief, and among them men whose minds were able to grasp the whole universe of thought; whose love reached out its tendrils like a great vine and twined them about all of the children of men; whose sympathy embraced within its measure all of the trials and sorrows of the world! Whatever the theologian may say, the modern idea of justice would not believe such a life worthy to be expiated with eternal punishment, or with any punishment. Should we place beside a man like this another who believed in every dogma of the church but whose life was a compound of selfishness and hypocrisy, we do not doubt that the sincerest member of the church would say, "the unbeliever is infinitely the nobler, higher and better of the two." Yet there was a time, and it is not very remote, when this would not have been so; when the believer, though vile as corruption itself, would have been placed far above him who did not believe, though his heart were full of sympathy and love and his life combined all of the virtues known to the world.

Now, what is the meaning of this change of sentiment? It means simply that the world has learned that goodness does not belong to any church; that virtue is neither Presbyterian, Episcopalian nor Baptist; that justice and mercy are of no sect, but have their roots

deep in the moral consciousness of mankind; that a life guided by noble purposes and directed to lofty aims is better than the most implicit faith; and that a loving heart and an approving conscience are the surest guarantees that the life is what it should be.

This is a high code of morals, but it is not Christianity, for Christianity teaches that "without faith it is impossible to please God," and that though we possess all goodness and all virtue, they are as nothing in the absence of faith.

Let us now inquire briefly into the cause of this decline of dogmatic religion. We have already noticed the great multiplication of religious denominations which followed as a necessary consequence of the establishment of Protestantism and the right of private judgment. In the statistical portion of the article on England, in the *Encyclopædia Britannica*, there is given a list¹ of dissenting churches licensed for

¹ We reproduce this list as a mere curiosity, though we believe it represents only about one-third of the denominations now in operation :

Advents,	Christian Teetotalers,
Apostolics,	Christian Temperancemen,
Arminian New Society,	Christian Unionists,
Baptized Believers,	Church of Christ,
Believers in Christ,	Church of Progress,
Bible Christians.	Church of Scotland,
Baptists, viz. :	Church of the People,
Baptists,	Countess of Huntingdon's Connection,
Calvinistic Baptists,	Disciples in Christ,
General Baptists,	Disciples in Jesus Christ,
General Baptists, New Connection,	Eastern Orthodox Greek Church,
Old Baptists,	Eclectics,
Particular Baptists,	Episcopalian Dissenters,
Presbyterian Baptists,	Evangelical Unionists,
Scotch Baptists,	Followers of the Lord Jesus Christ,
Seventh-day Baptists,	Free Catholic Christian Church,
Strict Baptists,	Free Christian Association,
Union Baptists,	Free Christians,
Unitarian Baptists.	Free Church,
Bible Defense Association,	Free Church (Episcopal),
Brethren,	Free Church of England,
Calvinists,	Free Gospel and Christian Brethren,
Catholic and Apostolic Church,	Free Gospel Church,
Christadelphians,	Free Grace Gospel Christians,
Christians "who refuse to be otherwise designated,"	Free Union Church,
Christian Believers,	German Lutheran,
Christian Brethren,	German Roman Catholic,
Christian Eliasites,	Glassites,
Christian Israelites,	Glory Band,
Christian Mission,	Greek Catholic,
	Halifax Psychological Society,

the celebration of marriages, in which no less than one hundred and twenty-two different denominations are given, the Church of England raising the number to one hundred and twenty-three. If, now, from this number we should take forty for such denominations as do not claim to be Christian, and such as differ only in church government and not in dogma, we will have left eighty-three different denominations teaching opposing creeds, and yet each claiming the name of Christian. Let us even suppose the number reduced to ten, and the principle is not altered, for there can be but one true religion. All others must be false. What, then, must be the consequence when so great a number of churches stand side by side, each crying aloud, "Come unto me all ye that seek the truth. Within my arms are peace and rest, and through my gates ye pass to life and immortality."

Hallelujah Band,
 Hope Mission,
 Humanitarians,
 Independent Religious Reformers,
 Independents,
 Independent Unionists,
 Inghamites,
 Israelites,
 Jews,
 Latter-day Saints,
 Moravians,
 Mormons,
 New Church,
 New Jerusalem Church,
 Orthodox Eastern Church,
 Peculiar People,
 Plymouth Brethren,
 Polish Society,
 Presbyterian Church in England,
 Primitive Christians,
 Progressionists,
 Protestant Members of the Church of England,
 Protestants "adhering to articles of Church of
 England 1 to 18 inclusive, but rejecting
 Order and Ritual,"
 Protestant Union,
 Providence,
 Quakers,
 Ranters,
 Recreative Religionists,
 Reformed Church of England,
 Reformed Presbyterians or Covenanters,
 Reformers,
 Revival Band,

Revivalists,
 Roman Catholics,
 Salem Society,
 Sandemanians,
 Second Advent Brethren,
 Separatists (Protestant),
 Society of the New Church,
 Spiritual Church,
 Swedenborgians,
 Temperance Church,
 Testimony Congregational Church,
 Trinitarians,
 Unionists,
 Unitarian Christians,
 Unitarians,
 United Brethren or Moravians,
 United Christian Church,
 United Presbyterians,
 Welsh Free Presbyterians.
 Wesleyan Methodists, viz. :
 Methodists,
 New Connection Wesleyans,
 Primitive Methodists,
 Reform Free Church of Wesleyan Metho-
 dists,
 Refuge Methodists,
 Temperance Methodists,
 United Free Methodist Church,
 Welsh Calvinistic Methodists,
 Wesleyan Methodist Association,
 Wesleyan Reformers,
 Wesleyan Reform Glory Band,
 Wesleyans.
 Workingmen's Evangelical Mission Chapels.

—"Encyclopædia Britannica" (American reprint), Vol. VIII., pp. 223-24.

The mind, confused by so many voices and unable to discern the truth among so many conflicting claims, very naturally begins to ask itself, if it thinks at all, whether any of these claims can be true, or whether, indeed, all of them are not false. In this way thousands of persons have, no doubt, been driven into open skepticism; others have joined some church, but with such modified opinions and perplexed with so many doubts that their faith furnishes them no support amid the trials of life, and they end by placing morality above dogma and character above belief. On the other hand, many timid and sensitive natures, that cannot endure to be in doubt, are driven to seek refuge in Roman Catholicism. Here there can be no doubt as to what must be believed. The church is the sole arbiter and her decrees are infallible. She is the keeper of the consciences of all of her devout believers. She thinks for them, she decides for them, she acts for them. She is to them as a mother, and they are her children, and as children she takes them by the hand and leads them. Let them but believe in her, and no doubt need ever disturb the serenity of their minds.

Now how many persons anxious to believe, and really unable to disbelieve, have been driven by the perplexities and confusion of Protestantism to the rest and quiet of the Roman Catholic church? Many natures that are deeply religious are incapable of close or accurate thought. Their religion is more a sentiment than a conviction, and reason plays but little part in their moral life. Such natures, for the most part, incline toward a church which assumes to think for them, which claims the right to pronounce authoritatively upon all matters of faith, and which leaves nothing unsettled upon which a doubt may be hinged. And it is just here that the great power of the Roman church is most plainly demonstrated. For hundreds of years she has presented an unbroken front to the world. Neither the spread of knowledge nor the consequent growth of the spirit of rationalism among mankind has had power to make her lessen her claims or withdraw from any position which she has ever assumed. In a world of innumerable changes and transitions she has stood without variable-ness or shadow of turning. She has been the Great Sphinx of Christendom, and, like her prototype on the banks of the Nile, she stands in silent majesty pointing the mind back along her history to the movements that have sprung up and passed away by her side, while she has stood immovable as Teneriffe amid the waters. Claiming to be the one true church, the sole expositor of divine truth, she

has not hesitated to utter her doctrines plainly, and to say to mankind, "you must believe them or you will be lost." No human being, whether believer or unbeliever, can contemplate her long and wonderful career without a feeling of awe and respect. He may condemn in unmeasured term her perpetual and unconcealed efforts to crush knowledge and enslave the human mind, but it is impossible for him not to feel that an institution which for so many centuries has thrived in spite of all opposition is in some way suited to the moral and intellectual needs of a large portion of the human family in all ages of the world. Perhaps they are, for the most part, the uneducated masses; but it should not be forgotten that all religions draw the greater part of their support from such sources. Now, a history like that of the Roman church is, in the midst of so much wrangling and disputing, well calculated to impress the doubting mind with the belief that perhaps there is much truth in her claim that she is the only true church, and that all other churches have sprung out of the perversity of the human mind, and from the falling away of mankind from the unity of the faith.

It has been claimed, and probably not without sufficient reason, that the ultimate outcome of Protestantism is infidelity. At all events, it is quite certain that for several centuries the tendency of thought has been in the direction of liberalism in religion. And this is necessarily the case from the very nature of Protestantism, whose fundamental principle is that every man has a right to think for himself, and to form his own opinions in matters of religion, and that no created being has a right to call him to account for those opinions. Should we examine the creeds of the various Protestant denominations, we would most probably find that they represent almost every intermediate phase of religious thought from Romanism or absolute authority and dogmatism on the one hand, to open infidelity—a rejection of all authority and all dogma—on the other. Now these creeds, taken in the order of their growing liberalism, would fittingly represent the successive steps made by the human mind in its progress from Roman Catholicism to skepticism in religion, though it is not probable that the evolution of religious ideas can be traced out in anything like a chronological order. There have been growth and decadence, lapses and relapses in religious progress. Periods of great faith and devotion have followed periods of great laxity in religious belief, only to be followed in their turn by other periods of doubt. Faith and unfaith seem to move in cycles that alternately precede and

succeed each other. It is the constant effort of thought to restore its equilibrium by reaction.

Now this irregularity would seem to render it impossible to trace the evolution of religious ideas in any chronological order, but no one who has studied the action of the human mind for the last four centuries can doubt that there has been a constant tendency toward liberalism in religion and the overthrow of dogmatism. The movement has, perhaps, not been direct, because of the obstacles to be encountered or avoided, but the point to be reached has never changed. The mountain stream may many times in its course be turned aside for awhile by the rock, but it does not fail in the end to cut out its passage to the sea. The ship struggling toward its port against the wind tacks now in one direction, now in another, yet, though its course may appear devious and inconsistent, it is constantly nearing the destined point. It is so with religious thought. Relapses have occurred, but they have never been complete. Always something has survived to mark the general average of religious progress. At the beginning of each period of decadence always enough of the present has remained to furnish a vantage ground for future effort, and the result of the whole is seen in the unbounded liberalism of to-day—a liberalism which practically rejects all formulated creeds, which places life and character above faith, and which has spread itself in so many directions, and taken hold of so many minds, that it has brought about the great transformations in religious belief which we have noticed, and has, in effect, broken down many of the distinctions of sect by disseminating in the popular mind a disbelief in the dogmas upon which the sects are founded. The progress of this movement in Europe has been traced with admirable skill by Mr. Lecky in his "History of Rationalism," and by Mr. Buckle in his great work on Civilization. But never at any period have its effects been so marked as at present. The Reformation was its first successful expression. It was not until then that the human mind became aware of its power to shake off the chains of the Papacy. The first recognition of that power was the greatest impulse ever given to human thought. For the first time in many centuries men felt the generous thrill of liberty—liberty of mind as well as of body. But full freedom did not come at once. Perhaps it has not yet entirely come. The human intellect after its long bondage was not prepared to receive it, and the intelligence of any age is the truest measure of its liberty. But thoughtful minds

did not fail to perceive from the beginning that to have asserted successfully the right of every man to think and act for himself was to have established a principle big with the noblest hopes for the future. We are gathering the splendid fruits of those hopes, but those who come after us will gather them in yet greater beauty and abundance. It is now only about a century since the last human being perished at the stake on account of his religious convictions. How vast the change from that day until this. The smoke of human sacrifice has been swept away. The Inquisition is no more. Those dreadful systems of torture by which the human mind was subdued and kept in bondage have passed away never to be restored. In their place have come sympathy, benevolence and love. Difference of opinion is no longer considered a sufficient reason why men should hate and persecute each other. On the contrary, we have learned that to these differences of opinion, and to the investigations resulting therefrom, we are indebted for all of the best fruits of our splendid civilization. Human nature has not changed, but the growth of knowledge has brought doubts where there was once nothing but the strongest conviction. When men begin to doubt the truth of their opinions persecution is at an end. The greatest amount of doubt is generally accompanied by the greatest tolerance, the greatest faith by the greatest intolerance. Let men once obtain an intensely realized conviction that their belief is the only true one, and that every person who does not agree with them will be eternally lost, and persecution in its worst form is the inevitable consequence. It is justified on the ground that it is better the body should suffer for a brief interval if thereby the soul may be saved than that by sparing the body the soul should be forever undone. How often in those terrible periods that are gone have gentle and loving mothers, sustained by this conviction, seen their own children perish at the stake for some supposed heretical opinion, and have returned to their homes half comforted by the belief that by the killing of the body the soul had been saved. We do not doubt that when persecution was rife the great majority of persecutors were persons of strong and sincere convictions, and were earnestly desirous of securing the eternal happiness of those whom they sent to the dungeon and the stake. Believing that no one who died holding heretical opinions could possibly escape eternal punishment, it was but natural that they should resort to any means, even though it extended to the taking of the life of the heretic by the most dreadful tortures, to reclaim him from so terrible a fate. In this

view of the case it is natural, too, that the most loving and sympathetic natures, and those most anxious to promote the eternal happiness of their fellow men, should have been the ones who would resort to the most extreme measures to secure the salvation of the unbeliever. Let the poor ignorant mother be persuaded that the child of her love holds opinions which, unless renounced, will condemn him to the eternal agonies of hell, and her very love for that child and her desire that he shall escape those torments and secure with her eternal happiness will induce her even to send him to the stake, that by the burning of the body the soul may be purified unto life.

But Protestantism, based on the right of private judgment, was necessarily opposed to persecution in principle, though not always in practice, and it is to the establishment of Protestantism that we are indebted for the intensely liberal sentiment of to-day. To it we are indebted that we may think as we please, and that we may declare our convictions without fear. All of that great multiplication of religious denominations which has exerted so powerful an influence in the overthrow of dogmatic religion, and in the obliteration of the ancient landmarks of faith, is unquestionably the logical and necessary issue of sectarianism in religion. If, now, we consider the preservation of dogmatic religion as of paramount importance to mankind, we will look upon the great spread of liberal ideas in the present century as an unmixed evil and a universal calamity. If, on the contrary, we identify the highest interests of mankind with the highest interests of truth and knowledge, we will believe that the overthrow of dogmatism in religion is among the greatest events in the history of the human mind, and will rejoice in the splendid achievements of thought which have made the present century the crowning ornament of the ages, and will look forward with a generous confidence to a future full of noble promise—a future which shall daily witness yet greater marvels of the powers of human nature and the capacities of the human mind, and in which “Hope, like a poising eagle,” shall forever “burn above the unrisen morrow.”

There is, however, one other phase of the question which has a strong bearing upon the decline of dogmatism, and which must not be overlooked. We refer to the personal attitude of many professed believers to the doctrines to which they outwardly claim allegiance. There is, in many quarters, a strong conviction that a popular belief in Christianity is essential to the preservation of society; and this conviction is shared by many persons who are themselves wholly without

such belief. They think a destruction of this belief in the minds of the uneducated masses would bring with it great and unspeakable calamities, and that, therefore, in the interest of peace and order it is the duty of every good citizen, whatever his own personal belief may be, to say or do nothing that shall destroy belief in others. That the great majority of professed believers are sincere I would not willingly doubt, but that very many who profess to believe are believers only outwardly cannot well be questioned. A few such, perhaps, profess belief for the sake of mere personal interest, but many others are induced to falsify their opinions by the sincere conviction that the general good of society demands that they shall outwardly simulate beliefs which in private they would by no means consent to claim. We shall not stop to discuss the honesty of such a position as this, but that many men assume this position under a sincere conviction of moral duty we do not doubt, and perhaps there are not a few even in our pulpits who would confess to their own hearts that this is the position in which they stand. Nor is this position a new one. It seems to have been quite common in England last century, as shown by a few very interesting pages on this subject in Mr. Lecky's history of England.¹ Among many other instances cited are those of Lord King justifying a subscription to the articles without belief, on the ground that "we must not lose our usefulness for scruples." A letter of Middleton's is preserved in which he treats the articles with the utmost ridicule, at the very time when he is signing them in order to obtain possession of a living; and Hume, on being consulted by a friend as to whether a young clergyman who had become exceedingly skeptical should hold his position in the church, promptly answered *yes*. "Civil employments for men of letters," he said, "can scarcely be found * * * . It is putting too great a respect on the vulgar and on their superstitions to pique yourself on sincerity with regard to them. Did ever one make it a point of honor to speak the truth to children and madmen? * * * The ecclesiastical profession only adds a little more to an innocent dissimulation, or, rather, simulation, without which it is impossible to pass through the world."² In other words, if it seems to be better either for your own usefulness or for the interests of society that you should profess to believe what you do not believe, you should make the profession. Now, if it were possible to count the persons who are holding church positions to-day under some such view of duty as this, a most astounding revelation would be made.

¹ Lecky's *England in the 18th Century*, vol. 2, p. 591. ² *Ibid.*

But as men will not persecute except for sincere convictions, nor insist that others shall accept opinions which they do not really hold themselves, it is clear that the influence of this whole body, which is far larger than is generally supposed, is given against dogmatism in religion; and the existence of this class is one of the results of that right of private judgment which the Reformation established.

Perhaps there are some who would gladly see the old order of things restored; who, for the sincere, unquestioning faith of three centuries ago, would barter all of the knowledge and all of the science of this age; but let us hope that the number of such is growing smaller and smaller every day. If the growth of knowledge has brought with it doubts instead of faith; if it has in the minds of thousands destroyed the hopes and trusts of religion, it has also brought the tender and sympathetic spirit of this age—a spirit of mercy and love manifested by every species of charity and benevolence, and which no rational being could wish to have exchanged for that cruel, intolerant spirit which, in the ages of greatest faith, led to hate, to persecution and to death.

Now if, as we believe, the whole moral sentiment of our century is the result of Protestantism acting through the multiplication of denominations and the consequent confusion or obliteration of the boundaries of faith, it must not be forgotten that Protestantism itself was, as we have said, the necessary consequence of the growth of human knowledge. But Protestantism being once firmly established, promoted in turn the growth of knowledge by maintaining the right of the individual to think and to declare his thoughts. They have thus mutually served each other. But in establishing freedom of thought the mission of Protestantism was fulfilled. As a system of religion it has failed, and necessarily failed from the very fact that it was based upon the right of private judgment and free examination; but it is certain that notwithstanding its failure the remotest of future ages, and the representatives of the highest civilization to which mankind shall ever attain, will regard it as, in its consequences, the most important assertion of its rights ever made by the human mind.

WILLIAM MYALL.

POEMS OF NAPOLEON'S DECLINE.

ASSOCIATED with what may be termed the penultimate glories of the First Empire in France is a mass of poetical literature, English either in origin or by translation, which is so noteworthy for the intrinsic merit of a great part, and the bearing of other portions upon subsequent historical events, as to make it remarkable that there has yet been no attempt to present it in a collected form. To obtain as much completeness as the limits of an article of this kind will permit, the extent of the period under consideration must be somewhat arbitrarily limited at either end.

Napoleon himself traced the causes of his ruin—and very justly—to his repetition of the blunder of Louis XIV., in attempting to usurp the throne of Spain, as a means of shutting off the possibility of an attack in the rear at a time when he might be struggling with combined Europe in his front—the precise catastrophe which his Spanish invasion brought to pass. It was while he was encumbered with this inextricable campaign in the south that England, already involved as an ally of Spain and galled to the quick by the disasters that culminated in the fall of Sir John Moore at Corunna, brought about the descent of Austria upon him from the east. This was effected by the lavish distribution of subsidies, not merely to Austria, but among the opponents of Napoleonism through all Europe; and such outlay, at a time when the internal distress of Great Britain was extreme, elicited from that staunch Whig, Tom Moore, his “Parody of a Celebrated Letter”—a letter, namely, from the Prince Regent, afterward George IV., to the Duke of York, which was perverted in this fashion:

It is true we are bankrupts in commerce and riches,
But think how we find our allies in new breeches!
We've lost the warm hearts of the Irish, 'tis granted,
But then we've got Java, an island much wanted
To put the last lingering few who remain
Of the Welcheren warriors out of their pain.

* * * * *

No—let *England's* affairs go to rack, if they will,
We'll look after the affairs of the *Continent* still;
And, with nothing at home but starvation and riot,
Find Lisbon in bread, and keep Sicily quiet.

Napoleon, notwithstanding the opposition of England, brought Austria to his feet by the tremendous campaign of Wagram; and then

astonished Europe by the leniency of the terms he accorded to the vanquished House of Hapsburg—a moderation of which he presently gave an equally astounding solution by his divorce of Josephine and marriage of the Hapsburg princess, the Archduchess Marie Louisa. From this event Napoleon himself in after days, as well as the French in general, was wont to date the decline of his “star.” The sorrows of the gentle Empress—whose foibles were forgotten when men recalled the invariable beneficence that enabled her to declare on her death-bed that she had “never caused a single tear to flow”—affected all France; and they have been celebrated by Mrs. Sigourney in one of the poems in her “Pleasant Memories of Pleasant Lands,” which commemorates her visit to the burial-place of Josephine, and the monument which bears the simple inscription, “To Josephine, from Eugene and Hortense,” and whereon “two hands, sculptured in marble, and grasping each other, appear as the symbols of their united filial love.”

THE TOMB OF JOSEPHINE.

She, who o'er earth's most polished clime
The empress-crown did wear,
And touched the zenith-point of power,
The nadir of despair,

With all her charms and all her wrongs,
Beneath this turf doth rest,
Where boldly spring two clasping hands,
To guard her pulseless breast.

Say, did *his* love, who ruled her heart,
This fair memorial rear,
And soothe the unrequited shade
With late remorseful tear?

Came he, with sweet funereal flowers,
To deck her couch of gloom,
And like repentant Athens bless
The guiltless martyr's tomb?

No!—mad Ambition's selfish soul,
With cold and ingrate tone,
Abjured the gentle hand that paved
His pathway to a throne.

But Fortune's star indignant paled,
And hid its guiding ray,
As sternly from his side he thrust
That changeless friend away.

Yet she to her secluded cell
No vengeful passion bore,
Nor harshly blamed his broken vows,
Who sought her smile no more;

Still o'er the joys of earlier years
 With tender spirit hung,
 And mourned when Sorrow o'er his path
 A blighting shadow flung;
 Gave thanks, if Victory's meteor-wreath
 His care-worn temples bound,
 And in the blessings of the poor
 Her only solace found.
 And so she died, and here she sleeps,
 This village-fane below;—
 Sweet is the memory of a life
 That caused no tear to flow.

Napoleon's divorce from Josephine was in December, 1809, and then immediately ensued the most splendid period of his power. But in less than three years he entered into his fatal war with Russia, and, at the head of the most stupendous armament the world had seen since the days of Xerxes, proceeded to invade the great Empire. Bearing down all obstacles before him, he had pressed forward to the ancient capital, and victory seemed within his grasp, when it was snatched from him—and forever—by the burning of Moscow. This heroic sacrifice, this blasting of gigantic ambition, is recorded in Lord Byron's "Age of Bronze:"

Moscow! thou limit of his long career,
 For which rude Charles had wept his frozen tear
 To see in vain—*he* saw thee—how! with spire
 And palace fuel to one common fire.
 To this the soldier lent his kindling match,
 To this the peasant gave his cottage thatch,
 To this the merchant flung his hoarded store,
 The prince his hall—and Moscow was no more!
 Sublimest of volcanoes! Etna's flames
 Paled before thine, and quenchless Hecla's tame;
 Vesuvius shows his blaze, an usual sight
 For gaping tourists, from his hackney'd height:
 Thou stand'st alone unrivall'd, till the fire
 To come, in which all empires shall expire.
 Thou other element! as strong and stern
 To teach a lesson conquerors will not learn,
 Whose icy wing flapp'd o'er the faltering foe,
 Till fell a hero with each flake of snow;
 How did thy numbing beak and silent fang
 Pierce, till hosts perish'd with a single pang!
 In vain shall Seine look up along his banks
 For the gay thousands of his dashing ranks;
 In vain shall France recall beneath her vines
 Her youth—their blood flows faster than her wines,
 Or stagnant in their human ice remains
 In frozen memories on the polar plains.

After this crushing disaster there remained to Napoleon no alternative but retreat—a humiliation which he had not known since the establishment of the Empire—and he commenced it just at the opening of the horrors of the Russian winter, and had no choice but to persist in spite of cold, of famine, of disease, of the scarcely less destructive Cossacks. What ensued is told with uncolored truth in Wordsworth's noble lines :

THE FRENCH ARMY IN RUSSIA.

Humanity, delighting to behold
 A fond reflection of our own decay,
 Hath painted Winter like a Traveler—old,
 Propped on a staff—and, through the sullen day,
 In hooded mantle, limping o'er the plain,
 As though his weakness were disturbed by pain ;
 Or, if a juster fancy should allow
 An undisputed symbol of command,
 The chosen sceptre is a withered bough,
 Infirmly grasped within a palsied hand.
 These emblems suit the helpless and forlorn,
 But mighty Winter the device shall scorn.
 For he it was—dread Winter ! who beset,
 Flinging round van and rear his ghastly net,
 That host—when from the regions of the Pole
 They shrunk, insane ambition's barren goal,
 That host, as huge and strong as e'er defied
 Their God, and placed their trust in human pride !
 As fathers persecute rebellious sons,
 He smote the blossoms of their warrior youth ;
 He called on Frost's inexorable tooth
 Life to consume in manhood's firmest hold ;
 Nor spared the reverend blood that feebly runs ;
 For why, unless for liberty enrolled
 And sacred home, ah ! why should hoary Age be bold ?
 Fleet the Tartar's reinless steed,
 But fleeter far the pinions of the Wind,
 Which from Siberian caves the Monarch freed,
 And sent him forth, with squadrons of his kind,
 And bade the Snow their ample backs bestride,
 And to the battle ride.
 No pitying voice commands a halt,
 No courage can repel the dire assault ;
 Distracted, spiritless, benumbed and blind,
 Whole legions sink—and, in one instant, find
 Burial and death ; look for them—and descry,
 When morn returns, beneath the clear blue sky,
 A soundless waste, a trackless vacancy !

Told in summary, of the 650,000 troops who first and last invaded Russia, no fewer than 450,000 were captured or died deaths of fright-

ful suffering from privation, pestilence, and cold; and of the host which had actively prosecuted the Moscow campaign, but 40,000 survived, of whom less than a quarter were French. To Southey all this afforded occasion for jaunty hilarity, and he gave vent to it in a piece of prolix buffoonery, which seems to have been taken at the time, at his own estimate, for a humorous poem. Of this the following passages will suffice:

THE MARCH TO MOSCOW.

I.

The Emperor Nap he would set off
On a summer excursion to Moscow;
The fields were green and the sky was blue,
Morableu! Parblieu!
What a pleasant excursion to Moscow!

* * * * *

VII.

He found the place too warm for him,
For they set fire to Moscow.
To get there had cost him much ado,
And then no better course he knew,
While the fields were green, and the sky was blue,
Morableu! Parblieu!
But to march back again from Moscow.

VIII.

The Russians they stuck close to him
All on the road from Moscow.
There was Tormazow and Jemalow,
And all the others that end in ow;
Milarodovitch and Jaladovitch,
And Karatschkowitch,
And all the others that end in itch;
Schamscheff, Souchosaneff,
And Schepaleff,
And all the others that end in eff;
Wasillschikoff, Kostomaroff,
And Tchsglokoff,
And all the others that end in off;
Rajeffsky and Novereffsky,
And Rieffsky,
And all the others that end in effsky;
Oscharoffsky and Rostoffsky,
And all the others that end in offsky;
And Platoff he play'd them off,
And Shouvaloff he shovell'd them off,
And Markoff he mark'd them off,
And Krossnoff he cross'd them off,
And Tuchkoff he touch'd them off,
And Boraskoff he bored them off,

And Kutousoff he cut them off,
 Aud Parenzoff he pared them off,
 And Worronzoff he worried them off,
 And Doctoroff he doctored them off,
 And Rodinoff he flogged them off,
 And, last of all, an admiral came,
 A terrible man with a terrible name,
 A name which you all know by sight very well,
 But which no one can speak, and no one can spell.
 They stuck close to Nap with all their might;
 They were on the left and on the right,
 Behind and before, and by day and by night;
 He would rather parlez-vous than fight;
 But he look'd white, and he look'd blue,
 Morbleu! Parblieu!
 When parlez-vous no more would do,
 For they remembered Moscow.

IX.

And then came in the frost and snow,
 All on the road from Moscow.
 The wind and the weather he found, in that hour,
 Cared nothing for him, nor for all his power;
 For him who, while Europe crouch'd under his rod,
 Put his trust in his fortune, and not in his God.
 Worse and worse every day the elements grew,
 The fields were so white, and the sky so blue,
 Sacre bleu! Ventre bleu!
 What a horrible journey from Moscow!

* * * * *

XI.

Too cold upon the road was he;
 Too hot had he been at Moscow;
 But colder and hotter he may be,
 For the grave is colder than Muscovy;
 And a place there is to be kept in view,
 Where the fire is red, and the brimstone blue,
 Morbleu! Parblieu!
 Which he must go to,
 If the Pope say true,
 If he does not in time look about him;
 Where his namesake almost
 He may have for his host;
 He has reckon'd too long without him;
 If that host get him in purgatory,
 He won't leave him there alone with his glory;
 But there he must stay for a very long day,
 For from thence there is no stealing away,
 As there was on the road from Moscow.

From these wretched conceits it is refreshing to turn to two of those sonnets—so full in their calm, clear depth of thought—in which Wordsworth recorded phases of the Napoleonic struggle:

I.

Ye Storms, resound the praises of your King!
 And ye mild seasons—in a sunny clime,
 Midway on some high hill, while Father Time
 Looks on delighted—meet in festal ring,
 And loud and long of Winter's triumph's sing!
 Sing ye, with blossoms crowned, and fruits, and flowers,
 Of Winter's breath surcharged with sleety showers,
 And the dire flapping of his hoary wing!
 Knit the blithe dance upon the soft green grass;
 With feet, hands, eyes, looks, lips, report your gain;
 Whisper it to the billows of the main,
 And to the aerial zephyrs as they pass,
 That old decrepit Winter—*He* hath slain
 That Host which rendered all your bounties vain!

II.

By Moscow self-devoted to a blaze
 Of dreadful sacrifice; by Russian blood
 Lavished in life with desperate hardihood;
 The unfeeling elements no claims shall raise
 To rob our Human-nature of just praise
 For what she did and suffered. Pledges sure
 Of a deliverance absolute and pure
 She gave, if Faith might tread the beaten ways
 Of Providence. But now did the Most High
 Exalt his still, small voice; to quell that Host
 Gathered his Power, a manifest Ally;
 He whose proud waves confounded the proud boast
 Of Pharaoh, said to Famine, Snow, and Frost,
 Finish the strife by deadliest victory.

This closing allusion to the miraculous destruction of the Egyptian host recalls—and all the more strikingly, since the poet seems not to have intended it—a scoff of Napoleon's own, years before. It was during his expedition to Egypt, and when he was projecting a Suez canal, that, with his staff, he crossed the sands of the Red Sea—left bare by the fallen tide—to the Asiatic shore, at the same point where the Children of Israel are affirmed to have passed in their flight. The return was delayed until night had begun to fall and the tide to rise, and the horsemen, bewildered, and their animals often washed from their footing, were only saved from drowning by Napoleon's fertile resource and presence of mind. "Had I perished in that manner, like Pharaoh," he said, when they stood at last on dry land, "it would have furnished all the preachers of Christendom with a magnificent text against me." A still more striking correspondence between Napoleon's sneer and the actual event is recorded in Sir Archibald Alison's "History of Europe":

"What does the Pope mean," said Napoleon to Eugene, in July, 1807, "by the threat of excommunicating me? Does he think the world has gone back a thousand years? *Does he suppose the arms will fall from the hands of my soldiers?*" Within two years after these remarkable words were written the Pope did excommunicate him in return for his confiscation of his whole dominions, and in less than four years more the arms *did fall from the hands of his soldiers*, and the hosts, apparently invincible, which he had collected were dispersed and ruined by the blasts of winter; he extorted from the Supreme Pontiff at Fontainebleau, in 1813, by the terrors and exhaustion of a long captivity, a renunciation of the rights of the church over the Roman States; and, within a year after, he himself was compelled, *at Fontainebleau*, to sign the abdication of all his dominions; he consigned Cardinal Pacca and several other prelates, the courageous counselors of the bull of excommunication, to a dreary imprisonment of four years amid the snows of the Alps, and he himself was shortly after doomed to a painful exile of six on the rock of St. Helena. There is something in these marvelous coincidences beyond the operations of chance, and which even a Protestant historian feels himself bound to mark for the observation of future ages. The world had not gone back a thousand years, but that Being existed with whom a thousand years are as one day and one day as a thousand years.

The resurrection of Europe from French domination—which had only been repressed in 1809 by the prostration of Austria—followed instantly upon the intelligence of Napoleon's ruin in Russia. Prussia, without waiting the word of her irresolute king, sprang to arms for the deliverance of the Fatherland. Years before, this had been foretold by Wordsworth in one of his sonnets:

A PROPHECY—FEBRUARY, 1807.

High deeds, O Germans, are to come from you!
 Thus in your books the record shall be found,
 "A watchword was pronounced, a potent sound,
 ARMINIUS!—all the people quaked like dew
 Stirred by the breeze—they rose, a nation, true,
 True to herself—the mighty Germans,
 She of the Danube and the Northern Sea,
 She rose, and off at once the yoke she threw.
 All power was given her in the dreadful trance;
 Those new-born kings she withered like a flame."
 —Woe to them all! but heaviest woe and shame
 To that Bavarian who did first advance
 His banner in accursed league with France,
 First open traitor to a sacred name!

Another English poet, Campbell, greeted the uprising as soon as it declared itself:

ODE TO THE GERMANS.

The Spirit of Britannia
 Invokes, across the main,
 Her sister Allemannia
 To burst the tyrant's chain:
 By our kindred blood, she cries,
 Rise, Allemanni, rise,

And hallow'd thrice the band
Of our kindred hearts shall be
When your land shall be the land
Of the free—of the free!

With Freedom's lion-banner
Britannia rules the waves,
Whilst your BROADSTONE OF HONOR
Is still the camp of slaves.
For shame, for glory's sake,
Wake, Allemannians, wake,
And thy tyrants now that whelm
Half the world, shall quail and flee,
When your realm shall be the realm
Of the free—of the free!

MARS owes to you his thunder
That shakes the battle-field,
Yet to break your bonds asunder
No martial bolt has peal'd.
Shall the laurel'd land of art
Wear shackles on her heart?
No! the clock ye framed to tell,
By its sound, the march of time,
Let it clang oppression's knell
O'er your clime—o'er your clime!

The Press's magic letters,
That blessing ye brought forth,—
Behold! it lies in fetters
On the soil that gave it birth;
But the trumpet must be heard,
And the charger must be spurr'd;
For your father Armin's Sprite
Calls down from heaven, that ye
Shall gird you for the fight,
And be free—and be free!

Throughout Germany itself there was a spontaneous outburst of song which has immortalized the names of Körner, Arndt, Kleist, Moritz, Von Arnim, Wächter, Follen, and a score of other war poets. Foremost among these, both by his genius and from his fate, stood Körner, whose "Männer und Buben" embodies the spirit of the time. The following translation is by Charles T. Brooks:

MEN AND BOYS.

The storm is out—the land is roused;
Where is the coward who sits well housed?
Fie on thee, boy, disguised in curls,
Behind the stove, 'mong gluttons and girls.

Chorus.—A graceless, worthless wight thou must be ;
 No German maid desires thee,
 No German song inspires thee,
 No German Rhine wine fires thee.
 Forth in the van,
 Man by man,
 Swing the battle-sword who can.

When we stand watching the livelong night,
 Through piping storms till morning light,
 Thou to thy downy bed canst creep,
 And there in dreams of rapture sleep.

When, hoarse and shrill, the trumpet's blast,
 Like the thunder of God, makes our hearts beat fast,
 Thou in the theatre lov'st to appear,
 Where trills and quavers tickle the ear.

When the glare of noonday scorches the brain,
 When our parchéd lips seek water in vain,
 Thou canst make the champagne corks fly
 At the groaning tables of luxury.

When we, as we rush to the strangling fight,
 Send home to our true loves a long "Good-night,"
 Thou canst hie thee where love is sold,
 And buy thy pleasure with paltry gold.

When lance and bullet come whistling by,
 And death in a thousand shapes draws nigh,
 Thou canst sit at thy cards, and kill
 King, queen, and knave with thy spadille.

If on the red field our bell should toll,
 Then welcome be death to the patriot's soul ;
 Thy pampered flesh shall quake at its doom,
 And crawl in silk to a hopeless tomb.

Chorus.—A pitiful exit thine shall be ;
 No German maid shall weep for thee,
 No German song shall they sing for thee,
 No German goblets shall ring for thee.
 Forth in the van,
 Man for man,
 Swing the battle-sword who can !

In response to such appeals, all of Europe that was not in the possession of French forces, excepting only Saxony, Bavaria and Denmark, rose to effect its deliverance from the universal oppressor ; and from the side of Spain the Peninsular army, under Wellington, pressed forward toward the hosts operating from the east, so that presently no fewer than 900,000 men closed in upon the 700,000 whom Napoleon, by incredible efforts, had succeeded in arraying in defense of France. The conflicts took place in the region about Berlin and Dresden, and were generally so managed by the allies, counselled in this by Moreau,

that encounters with Napoleon himself were avoided, while his lieutenants were overthrown one by one. One of the most complete of these disasters was that inflicted by the Prussian commander, Blücher, upon Marshal Macdonald, on the banks of the Katzbach. It was celebrated by a patriot poet, Adolf Ludwig Follen, himself a volunteer in the German army, in a spirited, if conceitish, poem, of which President Felton, of Harvard, gave the following rendering:

BLÜCHER'S BALL.

By the Katzbach, by the Katzbach, ha! there was a merry dance;
 Wild and weird and whirling waltzes skipped ye through, ye knaves of France!
 For thee struck the great bass-viol an old German master famed,—
 Marshal Forward, Prince of Wallstadt, Gebhardt Lebrecht Blücher named.
 Up the Blücher hath the ball-room lighted with the cannon's glare!
 Spread yourselves, ye gay, green carpets, that the dancing moistens there!
 And his fiddle-bow at first he waxed with Goldberg and with Jauer;
 Whew! he's drawn it now full length, his play a stormy northern shower!
 Ha! the dance went briskly onward, tingling madness seized them all;
 As when howling, mighty tempests on the arms of wind-mills fall.
 But the old man wants it cheery, wants a pleasant dancing chime;
 And with gun-stocks, clearly, loudly, beats the old Teutonic time.
 Say, who, standing by the old man, strikes so hard the kettle-drum,
 And, with crushing strength of arm, down lets the thundering hammer come?
 Gneisenau, the gallant champion: Alemannia's envious foes
 Smites the mighty pair, her living double-eagle, shivering blows.
 And the old man scrapes the *sweep-out*: hapless Franks and hapless trulls!
 Now what dancers leads the graybeard? Ha! ha! ha! 'tis dead men's skulls!
 But, as ye too much were heated in the sultriness of hell,
 Till ye sweated blood and brains, he made the Katzbach cure ye well.
 From the Katzbach, while ye stiffen, hear the ancient proverb say,
 "Wanton varlets, venal blockheads, must with clubs be beat away!"

Following these repeated disasters came the bloody and crushing defeat of Napoleon himself at Leipzig, and his hard-pressed retreat thence to France—a retreat only less ruinous and fatal than that from Moscow. Close upon the heels of the retiring French followed the pursuing Germans, who, on reaching the heights of Hochheim, near Cassel, came in sight of the great boundary river, venerated by them with a sentiment akin to that of the Egyptians for the Nile or the Indians for the Ganges, and thence ensued an ecstatic scene scarcely paralleled in history. It was thus pictured by Wordsworth:

THE GERMANS AT THE HEIGHTS OF HOCHHEIM.

Abruptly paused the strife;—the field throughout
 Resting upon his arms each warrior stood,
 Checked in the very act and deed of blood,
 With breath suspended, like a listening scout.
 O Silence thou wert mother of a shout

That through the texture of yon azure dome
 Cleaves its glad way, a cry of harvest home
 Uttered to heaven in ecstasy devout !
 The barrier Rhine hath clashed, through battle-smoke,
 On men who gaze heart-smitten by the view
 As if all Germany had felt the shock !
 Fly, wretched Gauls ! ere they the charge renew
 Who have seen (themselves delivered from the yoke)
 The unconquerable stream his course pursue.

Mrs. Hemans, writing of a visit she made to Sir Walter Scott, at Abbotsford, says: "He gave me a thrilling description of a scene which had been witnessed by a friend of his at Ehrenbreitstein—the German army of liberators crossing the Rhine after their victories. Upon the first gleam of the noble river they burst forth into the song of 'Am Rhein, am Rhein!' They were two days crossing, during which the rock and the castle rang out to the peal of this gallant strain; and even the Cossacks, as they passed over, caught the national enthusiasm, and, with the clash, and clang, and roar of their stormy war music, swelled out the chorus of 'Am Rhein, am Rhein!'" From this source grew her own Rhine song.

RHINE SONG.

SINGLE VOICE.

It is the Rhine, our mountain vineyards laving,
 I see the bright flood shine, I see the bright flood shine:
 Sing on the march, with every banner waving—
 Sing, brothers, 'tis the Rhine! Sing, brothers, 'tis the Rhine!

CHORUS.

The Rhine! the Rhine! our own imperial river!
 Be glory on thy track, be glory on thy track!
 We left thy shores to die or to deliver—
 We bear thee freedom back, we bear thee freedom back!

SINGLE VOICE.

Hail! hail! my childhood knew the rush of water,
 Ev'n as my mother's song, ev'n as my mother's song;
 That sound went past me on the field of slaughter,
 And heart and arm grew strong, and heart and arm grew strong!

CHORUS.

Roll proudly on!—brave blood is with thee sweeping,
 Pour'd out by sons of thine, pour'd out by sons of thine,
 When sword and spirit forth in joy were leaping,
 Like thee, victorious Rhine! Like thee, victorious Rhine!

SINGLE VOICE.

Home!—home!—thy glad wave hath a tone of greeting,
 Thy path is by my home, thy path is by my home:
 Ev'n now my children count the hours till meeting,
 O ransom'd ones, I come! O ransom'd ones, I come!

CHORUS.

Go, tell the seas that chains shall bind thee never,
 Sound on by hearth and shrine, sound on by hearth and shrine!
 Sing through the hills that thou art free forever—
 Lift up thy voice, O Rhine! Lift up thy voice, O Rhine!

Mrs. Hemans' biographer records that "Haydn's inspiring 'Rheinweinlied,' with its firm, rich tide of flowing harmony, was one of the airs she most delighted in." Its words ran thus:

The Rhine! the Rhine! be blessings on the Rhine!
 St. Rochus bless the land of love and wine!
 The groves and high-hung meads, whose glories shine
 In painted waves below;
 Its rocks, whose topaz beam betrays the vine,
 Or richer ruby glow.
 The Rhine! the Rhine! be blessings on the Rhine!
 Beats there a sad heart here? pour forth the wine!

"The following lines," says Alison—upon whom be the entire responsibility for them—"were added at this period to the national anthem, pointing to the anxious desire generally felt to reclaim from the spoiler the German provinces on the left bank of the Rhine:

The Rhine shall no longer be our boundary,
 It is the great artery of the state,
 And it shall flow through the heart of our empire!

The German songs entitled "Rheinweinlied" are only short of innumerable. Their general sentiment is that of these two out of five stanzas by George Herwegh, the translation being by Alfred Baskerville:

Take down the musket from its stand,
 Take up the rapier in the hand,
 Whene'er the foe for Gallic land
 Shall seek the Rhine to gain!
 Strike, brothers, for the Rhine!
 Our ancient Father Rhine
 E'er German shall remain.

The right and left bank of thy wave,
 How false it sounds! Thus speaks the knave.
 No, not a drop shall, like a slave,
 E'er turn the Frenchman's mill again!
 Drink, brothers, drink! the Rhine,
 And were't but for the wine,
 E'er German shall remain.

By far the most popular of these songs was "The German Rhine" ("Sie sollen ihn nicht haben"), which Nikolaus Becker wrote, a generation later than the period we are considering, in rejoinder to

the cry of "France, take back the Rhine," raised by Victor Hugo, Lamartine and their followers, in the time of Louis Philippe.

THE GERMAN RHINE.

It never shall be France's,
The free, the German Rhine,
Tho' raven-like she glances
And croaks her foul design.

So long as calmly gliding
It wears its mantle green,
So long as oar dividing
Its mirrored wave is seen.

It never shall be France's,
The free, the German Rhine,
So long as youth enhances
His fervor with its wine.

So long as, sentry keeping,
The rocks its margin stud;
So long as spires are steeping
Their image in its flood.

It never shall be France's,
The free, the German Rhine,
So long as festive dances
Its lover-groups combine.

So long as angler bringeth
Its lusty trout to shore,
So long as minstrel singeth
Its praise from door to door.

It never shall be France's,
The free, the German Rhine,
Until its broad expanse is
Its last defender's shrine.

Becker's song was answered—on the instant, the story goes, and during the smoking of a single cigar—by Alfred de Musset. The following translation of his retort, as well as that of the defiance, appeared in the *Pall Mall Gazette* when the outbreak of the Franco-Prussian war in 1870 occasioned a revival of the two among their respective partisans.

THE GERMAN RHINE.

Your German Rhine has been ours before!
It has served our wassail bowls to fill.
Can singing its praises from door to door
Efface the hoof-prints, legible still,
Of our cavalry charges that bathed its left bank in your gore?
Your German Rhine has been ours before!
On its breast the wound yet gapeth wide -
Which conquering Condé made, when he tore
Thro' its mantle of green to the further side.
Where once the father has ridden, shall not the son ride once more?

Your German Rhine has been ours before !
 Of your German virtues what remains
 When across its flood our legions pour
 And the Empire overclouds your plains ?
 When all your mén have fallen, have ye other men in store ?
 Your German Rhine has been ours before !
 If ye your annals would fain forget,
 Your daughters remember the days of yore,
 And wish the Frenchmen among them yet,
 For whom your vintage white they were always blithe to pour.
 If your German Rhine be yours once more,
 Then wash your liveries in its tide ;
 But pitch your arrogance somewhat lower ! * *
 Can ye recall with generous pride
 Your myriad raven-beaks that drank the dying eagle's gore ?
 May your German Rhine flow evermore
 In peace ; and modestly may each spire
 Be mirrored fair in its glassy flow !
 But, oh ! keep down your bacchanal fire
 Which, else, may rouse to life again the victor hearts of yore.

De Musset, in turn, was answered in the "Wacht am Rhein" of Carl Wilhelm, which served as the national hymn of the Germans when the ownership of the Rhine was put beyond a doubt. But the Rhine-songs have already led us too far past our prescribed limits.

One, however, remains to be quoted, the "Blücher am Rhein," in which August Kopisch recounts how the veteran Prussian hero, whom Napoleon termed "that debauched old dragoon," led his hosts beyond the river. Here the inadequacy of the English rendering may justify the collating of the almost equally intelligible original :

BLÜCHER AM RHEIN.

Die Heere blieben am Rheine stehn ;
 Soll man hinein nach Frankreich gehn ?
 Man dachte hin und wieder nach,
 Allein der alte Blücher sprach :
 "Generalkarte her !
 Nach Frankreich gehn ist nicht so schwer.
 Wo steht der Feind ?"—"Der Feind ? Dahier !"—
 "Den Finger drauf, den schlagen wir !
 Wo liegt Paris ?"—"Paris ? Dahier !"—
 "Den Finger drauf ! das nehmen wir !
 Nun schlägt die Brücken über'n Rhein,
 Ich denke, der Champagnerwein
 Wird, wo er wächst, am besten sein !"

BLÜCHER AT THE RHINE.

'Twas on the Rhine the armies lay :
 To France or not ? is't yea, or nay ?
 They pondered long, and pondered well ;
 At length old Blücher broke the spell :

"Bring here the map to me!
 The road to France is straight and free.
 Where is the foe?"—"The foe, why here!"
 "We'll beat him! forwards! never fear!
 Say, where lies Paris?"—"Paris, here!"—
 "We'll take it! forwards! never fear!
 So throw the bridge across the Rhine,
 Methinks the Frenchman's sparkling wine
 Will taste the best where grows the vine!"

Blücher's counsel was eventually followed, though at first in a halting, blundering, faltering manner that protracted what was perhaps the most gallant and skillful struggle of Napoleon's whole career. At last, however, he was borne to earth by overwhelming numbers, and the Allies, possessed of Paris and surrounding his armies, consigned him to exile at Elba. English bards of course gave voice to their raptures in all conceivable tones. The inevitable Poet Laureate achieved limitless metrical atrocities which he called odes, and which are duly preserved in his "Works." Among the most bitter expressions of English exultation was this sonnet of Shelley's, which, moreover, contains special execrations of its own:

FEELINGS OF A REPUBLICAN ON THE FALL OF BONAPARTE.

I hated thee, fallen tyrant! I did groan
 To think that a most unambitious slave,
 Like thou [*sic*], shouldst dance and revel on the grave
 Of Liberty. Thou mightest have built thy throne
 Where it had stood even now: thou did'st prefer
 A frail and bloody pomp, which time has swept
 In fragments towards oblivion. Massacre,
 For this I prayed, would on thy sleep have crept,
 Treason and Slavery, Rapine, Fear, and Lust,
 And stifled then, their minister. I know
 Too late, since thou and France are in the dust,
 That Virtue owns a more eternal foe
 Than force or fraud: old Custom, legal Crime,
 And bloody Faith, the foulest birth of time.

It was while productions of this kind were daily appearing that Mary Russell Mitford wrote (April 21, 1814) as follows to her father, who had transmitted to her a friend's request to translate some French epigrams against Napoleon:

Let dear Mr. St. Q. know that he has *brought his pigs to the wrong market*. I am none of those who kick the dead lion. Let him take his verses to Lord Byron, or the editor of the *Times*, or the Poet Laureate, or the bellman, or any other official character, and they will translate them to his heart's content. * * * Tell him I forgive *him* for liking those wicked lines, because I know he always thought and felt as he does now, but his time-serving, fickle countrymen, who used to strain their wits to flatter the great man, whom they now send so composedly *aux enfers*, I cannot forgive.

Again, a few days later, she wrote :

Have you seen my Lord Byron's ode? And are you not shocked at the suicidal doctrine which it inculcates? He will finish that way himself from pure weariness of life. But true courage makes a different ending.

The doctrine of the ode in question is embodied in the following extracts :

ODE TO NAPOLEON BONAPARTE.

'Tis done—but yesterday a king!
 And arm'd with kings to strive,
 And now thou art a nameless thing,
 So abject, yet alive!
 Is this the man of thousand thrones,
 Who strew'd our earth with hostile bones?
 And can he thus survive?
 Since he (*sic*), miscalled the Morning Star,
 Nor man nor fiend hath fallen so far.

* * * * *

The desolator desolate!
 The victor overthrown!
 The arbiter of others' fate
 A suppliant for his own!
 Is it some yet imperial hope
 That with such change can calmly cope?
 Or dread of death alone?
 To die a prince, or live a slave,
 Thy choice is most ignobly brave!

* * * * *

The Roman, when his bloody heart
 Was slaked with blood of Rome,
 Threw down the dagger—dared depart,
 In savage grandeur, home.
 He dared depart, in utter scorn
 Of men that such a yoke had borne,
 Yet left him such a doom!
 His only glory was that hour
 Of self-upheld, abandoned power.

The Spaniard, when the lust of sway
 Had lost its quickening spell,
 Cast crowns for rosaries away,
 An empire for a cell;
 A strict accountant of his beads,
 A subtle disputant on creeds,
 His dotage trifled well;
 Yet better had he neither known
 A bigot's shrine nor despot's throne.

But thou, from thy reluctant hand
 The thunderbolt is wrung,
 Too late thou leav'st the high command
 To which thy weakness clung;

All evil spirit as thou art,
 It is enough to grieve the heart
 To see thine own unstrung;
 To think that God's own world hath been
 The footstool of a thing so mean.

Thine evil deeds are writ in gore,
 Nor written thus in vain—
 Thy triumphs tell of fame no more,
 Or deepen every stain.
 If thou hadst died as honor dies,
 Some new Napoleon might arise
 To shame the world again—
 But who would soar the solar height
 To set in such a starless night?

Sir Walter Scott, who recognized moral obligations to which Lord Byron was impervious, speaks, in his "Life of Napoleon Bonaparte," of the dramatic fitness of suicide in these terms:

A Roman would have seen in these accumulated disasters a hint to direct his sword's point against his breast. A man of better faith would have turned his eye back on his own conduct, and, having read in his misuse of prosperity the original source of these calamities, would have remained patient and contrite under the consequences of his ambition.

But, strongly contrasting with the sober words of the historian, Scott, the poet, in his "Field of Waterloo," had in more than one point taken his cue from Byron:

What yet remains? Shall it be thine
 To head the relics of thy line
 In one dread effort more?
 The Roman lore thy leisure loved,
 And thou canst tell what fortune proved
 That chieftain, who, of yore,
 Ambition's dizzy paths essay'd,
 And with the gladiators' aid
 For empire enterprised.
 He stood the cast his rashness play'd,
 Left not the victims he had made,
 Dug his red grave with his own blade,
 And on the field he lost was laid,
 Abhorr'd, but not despised.

Or shall we say thou stoop'st less low
 In seeking refuge from the foe,
 Against whose heart, in prosperous life,
 Thine hand hath ever held the knife?
 Such homage hath been paid
 By Roman and by Grecian voice,
 And thine were honor in the choice
 If it were freely made.

Then safely come—in one so low,
 So lost, we cannot own a foe;
 Though dear experience bids us end,
 In thee we ne'er can hail a friend.
 Come, howsoe'er, but do not hide
 Close in thy heart that germ of pride,
 Erewhile by gifted bard espied,
 That "yet Imperial hope";
 Think not that for a fresh rebound,
 To raise ambition from the ground,
 We yield thee means or scope.
 In safety come, but ne'er again
 Hold type of independent reign;
 No islet calls thee lord,
 We leave thee no confederate band,
 No symbol of thy lost command,
 To be a dagger in the hand
 From which we wrench'd the sword.

It would not be difficult to double the quantity of poetical allusions to the events of Napoleon's declining power. To enter upon those which bear upon his Elban exile, his return, the Hundred Days and Waterloo, would extend this paper in a still greater ratio. Yet it would probably, at this day, be nearly impossible to attain anything like completeness in such a record for however brief a period. While seeking out this limited collection, for instance, the compiler has in several instances come upon allusions to epigrams and poems by writers as well known as Moore and Campbell, but has found search for the lines themselves wholly fruitless. Very much, no doubt, of the work of obscure poets is entirely lost.

No student of history will rate lightly the indirect value of such evidences of the contemporary sentiment of the peoples whose annals he traces. Macaulay's diligence in collecting the songs and squibs and lampoons of the era of the English Revolution is well known, and his most careless reader must have noted what a flood of light he sometimes pours upon an important point from so obscure a source as an uncouth popular ballad. Yet such things possess little interest for us until they become inaccessible. Who knows what was the nature of the caricatures and patriotic and satirical poetry of the American Revolution? In the interest of the future inquirer into the features of our late Civil War, the hope may be expressed that such losses will be rendered impossible. Much that, ten years ago, was laughed or snarled over, and that tended to destroy reputations or to shape policy, has been buried out of sight in old newspaper files. While they were fresh no man was able to consider the productions of more than one

party to the struggle, and when it became possible to collate and combine them the topic was just so near and just so remote as to be hackneyed and distasteful. But the day has now come when the virtuoso in such matters can do good service, both to history and to letters, by collecting from every source the war-poetry of the Rebellion.

DORSEY GARDNER.

THE GROWTH OF INTERNATIONALISM.

IN 1789, as a fruitage of his materialistic, utilitarian philosophy, Jeremy Bentham prepared his "Plan for an Universal and Perpetual Peace," the main features of which comprised the reduction of military establishments, the abandonment of the colonial system, and the organization of an international congress and a "common court of judicature." Just six years later, without any suggestion from Bentham's "Plan," which for many years remained unpublished,¹ the German transcendentalist, Immanuel Kant, from the diametrically opposite standpoint of his metaphysical ethics gave to the world his sublime essay "Touching Perpetual Peace,"² advocating the formation of free constitutional governments in every State and an international congress to legislate for a confederated world. Within our own century philosophers of every school, religious bodies of every creed, peace congresses, learned societies, philanthropists, jurists and statesmen have drafted unnumbered schemes for world-union, with a view to substituting law for force and making natural ethics the crowning source of practical international law.

The world at large has been disposed to regard these schemes as millennial visions or utopian dreams, rather than as the sage forecasting of institutions which will be the every-day realities of a near posterity. For, despite the optimistic belief of eighteenth century philosophers that mankind even in their day was about ripe for perpetual peace and brotherly accord, this present skeptical generation finds that nations still cherish unworthy hatreds and ambitions; still pursue sinuous and unfathomable policies, and still wage bloody wars on flimsy pretexts. Hence there arises the question: Is it true that the nations of Europe and America are making no tangible progress

¹ Bentham's "Plan," though written in 1789, was not published till 1839. It may be found in Vol. VIII. of his "Complete Works."

² "Zum Ewigen Frieden," Kant's Works, Vol. V., pp. 411 et seq., edition Leipsic, 1838.

toward the goal of universal peace and international government? Is the world not appreciably nearer that goal than it was three hundred years ago, when good King Henry and his minister, Sully, announced to the world their "great design" for the federation of Christendom?¹ Laying aside theories and philosophies and taking up the humbler but safer study of political and social history, can we discover no definite tendencies toward that consummation so devoutly wished for? To this end we will direct our present inquiry.

Of one thing let us be certain at the very outset. The nations will never fix upon a precise date when, like the tribes in the "Song of Hiawatha," they will all lay aside

—— the feuds of ages ;
The hereditary hatred;
The ancestral thirst of vengeance,
* * * * *
Smoke the calumet together,
And as brothers live henceforward.

Great movements are not so accomplished in the real world. "Sudden changes are made only in theaters," says a modern French writer, who also bids us beware of those "alchemists of thought who imagine that society can be made to undergo a transformation between the rising and setting of the sun."² That greatest contribution of our time to legal and political science, the historical and comparative method of study, in establishing the essential unity of all history, and in demonstrating the marvelous continuity of customs, laws and institutions, has shed a flood of light both on the nature of progress and on the true method of reform. It has shown us that the permanent institutions of society are things of slow and gradual growth—never artificial contrivances superimposed. For example, Sir William Blackstone was content to attribute "that masterpiece of judicial policy, the subdivision of England into tithings and hundreds, if not into counties,"³ to the wise legislation of King Alfred; but a modern student, like Professor Stubbs or Sir Henry Maine, working under the new method, will readily trace those local divisions and governments back to the Saxon invasion, show their essential identity with Teutonic township life as Tacitus saw it in the woods of Germany, and conjecture their lineal descent from the prehistoric Aryan village communities of India. At most, King Alfred only improved what was already

¹ Sully's Memoirs—Bohn Series.

² Wolowski—Essay on the Historical Method.

³ Blackstone's Commentaries, Book IV., chap. 33.

grounded in immemorial usage. To take another illustration, those writers show no adequate comprehension of American history who fix a date for the beginning of our national life, and say that it came first into being with the adoption of the Constitution or with the Declaration of Independence. To the true historian those instruments are but the expression of a development whose "roots run deep into the soil of the past." Mr. Bancroft's ten volumes, preliminary to the constitutional era, will stand as a monument to the truth that national institutions do not spring full-grown from the brain of heroic revolutionists, nor from their combined sagacity in great conventions; but have their real origin in almost hidden springs—in unobserved and remote causes. The student of the English Constitution who has failed to catch this idea of historical development has missed the one grand unifying principle which gives unbroken continuity and logical sequence to English history, politics and law for fourteen hundred years. Schemes of government, however complete in theory, fail most signally unless they are *en rapport* with national life and character. Witness, for example, the attempts of Central and South American States to make a constitution modeled after ours fit their different social structures and their different historic traditions; or call to mind that magnificent system prepared for the infant colony of Carolina by Locke, the philosopher, and Shaftsbury, the statesman.¹ We are told that their plan proved "so ill-suited to the condition and wants of the straggling colonists that no efforts of the lord proprietor could long uphold it." The colonists made their simple laws as they needed them, and there grew up naturally in Carolina a system adapted to actual conditions. It was precisely upon this principle of adaptation that Solon acted when he gave the Athenians, not the best laws he could devise, but the best they could bear.

If, then, the local and national institutions of society are things of slow growth and of only gradual change, we need not expect that international institutions will come into full being except it be by these same processes of development. Indeed, in the very nature of things we should reasonably predict for them a tardier and more imperceptible progress. There must be the day of small things. Long before the realization of any of those admirable and highly organized schemes for world federation which have been the dream of political philosophers in every country, analogy would teach us to expect to

¹ The full text of Locke's "Fundamental Constitutions of Carolina" is given in "Charters and Constitutions of the United States," Vol. II., pp. 1,397 *et seq.*

find undercurrents of tendency, isolated points of contact and assimilation, irregular fragments of organization, and a hundred half-hidden forces in every department of social life, coworking to promote an "international consciousness" and to assimilate mankind. We might expect, also, that such a social atmosphere would be productive of those philosophic visions of human brotherhood which, however impracticable under present conditions, are nevertheless suited to nourish that broader and more humane public sentiment which in turn can alone make possible the realization of such visions. For, as Bentham says, "what can be better suited to the preparing of men's minds for the reception of such a proposal than the proposal itself?"¹ The landmarks of history are not abrupt peaks. Every one of them, on approach and inspection, proves to be merely the climax of a gradually ascending series of events; and, therefore, if international organization is to be an accomplished fact a few generations hence, that organization must be the simple and naturally progressive outcome of the present state of things, and its form must be largely shaped by tendencies now at work. Its history must now be actually forming around us, and its future historian will be under necessity of devoting long chapters of his work to the nineteenth century, and even to its predecessors.

The more complete of the schemes for international organization which have been outlined in recent times have generally concurred in providing for an international code of law, a judicial tribunal for the determination of controversies under the code, and a congress of nations with legislative functions. In our present inquiry we will make use of this division of the subject. It is true that in their germinant stages political institutions are never highly differentiated. One department overlaps or merges into another. Nevertheless, without too rigid adherence to the method, it may be found convenient for purposes of discussion to consider, first, the tendencies and forces, if any, which are making toward the formation of an international code of law; second, toward an international judiciary; and third, toward an international legislative body.

In form, an international code is simply "an extended treaty." It will comprise a clear and precise statement and a systematic arrangement of that vast body of rules governing the intercourse and mutual relations of different States and of their citizens which has grown up through the centuries by express agreement between States, or

¹ Bentham, "Plan for an Universal and Perpetual Peace."

by the tacit consent of long usage. All civilized nations profess to be bound by international law; but opinions diverge very widely as to what the law really is in many critical cases. Its sources are numerous and of varying authority. Treaties and conventions, especially those which have been signed by several States; principles of natural ethics; immemorial customs; the writings of eminent jurists; the legislation of individual States upon subjects of international concern, and the judicial decisions of such eminent tribunals as the Supreme Courts of the United States and England, are all to be included among the most important sources of international law. Out of this confused and indefinite condition of public law arises no inconsiderable proportion of the disputes and conflicts between nations, and no argument can be necessary to prove that codification would materially enhance the authority and effectiveness of the law of nations, and thereby promote the progress of the world.

The adoption of such a code need in no wise affect our modern theory of the State as a sovereign and independent personality. Every nation to-day recognizes, as a part of its body of law, numerous treaties with foreign powers, which involve in one connection or another every important principle of international law. Our proposed code would but consolidate and unify such principles in the mass of existing treaties as are of general application and acceptance, and the perfected product would itself go into operation as a treaty, binding only those nations which should give their assent to it.

As the law of nations is the most voluntary of all law, depending solely for its sanction upon the general recognition, we must not expect to find a body of public law developing simultaneously in all its parts. Thus we find some principles to be perfectly developed and recognized, others less perfectly, and still others only beginning to emerge from the nebulous background of the general consciousness. While this remark in some sense applies to all systems of constitutional or municipal law, it is peculiarly true of international law, because the latter acknowledges no authorized lawgiver. Evidently, then, before our systematic code can be constructed and adopted, its parts must have been evolved from time to time in fragmentary chapters.

There is nothing more gratifying to the student of international law than to observe how constantly principles have been passing over from the theoretical side—the law as it ought to be—to the practical

and positive side—the law as it is. Every such operation furnishes a chapter or a page for our future code. It is in the treaties and declarations of European congresses and diplomatic conferences that this process is most apparent. Hugo Grotius, the founder of the modern science of international law, published his great work on “The Laws of War and of Peace”¹ during the progress of the Thirty Years’ Religious War. Its influence was beyond estimation. It is said that Gustavus Adolphus, the Protestant champion, carried Grotius’ cumbersome tome through all his campaigns, and nightly placed it under his pillow. And when in 1648 the treaty of Westphalia, “which laid the foundation of modern Europe,” was signed, many of the advanced international principles which Grotius had first clearly enunciated passed over into the realm of positive law, made binding by solemn treaty. From Westphalia in 1648 to Berlin in 1878, that process has been going on continually. Let us take a hasty illustration or two from our own century. A protocol of the Vienna Congress of 1815 furnished the chapter relative to ambassadors and diplomatic intercourse. The same congress denounced the slave trade, and made it an international crime. The Congress of Paris in 1856 provided a valuable chapter on naval warfare by their declaration abolishing privateering, exempting from capture an enemy’s goods under a neutral flag and neutral goods under an enemy’s flag (contraband of war of course excepted), and establishing the law of blockades. And to these four propositions must now be added the famous “three rules” of the treaty of Washington, 1871, which formulate the duty of neutral States in respect to maritime warfare. The rules of navigation—“the law of the road at sea”—prescribed by Parliament for English vessels by the Merchant Shipping Act of 1862, have been made applicable, by consent of their respective governments, to the ships of more than thirty countries; and these rules may certainly be called another chapter of our international code. A convention at Geneva, in the summer of 1864, participated in by twenty-four States, adopted rules for the amelioration of the hospital service and the better care of wounded soldiers. Again, at St. Petersburg, in 1868, seventeen States agreed to renounce in war the murderous use of small explosive projectiles. Both these conventions have furnished material for our code.

The first codification of international articles of war was the work of Dr. Francis Lieber, of Columbia College, New York. It was pre-

¹ Grotius: “*De Jure Belli ac Pacis*.”

pared at the instance of President Lincoln, and formed the basis of the famous "General Order No. 100," issued by the War Department in 1863, as "Instructions for the Government of the United States Armies in the Field."¹ These same articles, with some modification, were adopted by the German Government in the Franco-Prussian war. In 1873 Russia issued a circular to the Cabinets of Europe, submitting a draft of a war-code, and asking a convention to discuss it. Accordingly all the European powers met in conference at Brussels in 1874, and after much argumentation drew up a series of articles which are known as the "Brussels War-code."² To quote from a resolution adopted the following year by the Institut de Droit Internationale, the Brussels code, while "having much resemblance to the American instructions of President Lincoln, has the advantage over them of extending to international relations a regulation made for one State, and of containing new requirements at once practical, humane, and progressive." It is with just pride that Americans may claim the war-code of Europe, which records a humanitarianism so far in advance of Grotius and the early writers, as the direct outgrowth of the labors of an American college professor. Dr. Lieber's "Old Hundred," as he jocosely termed his articles of war, will be an abiding monument to his memory; for it has given him a place among the framers of the world's great future code, which, when in process of time fully developed, will be a work "second to none in dignity or importance among the events which have illustrated the world's history." Let us take still another illustration of the growth of a code. David Dudley Field, writing in 1876, says: "The late postal treaty is a code as far as it goes, or rather one chapter of a code. The fact that such a treaty has been made between sixteen different nations is proof that a general treaty can be made embracing one subject. Why may it not be made to embrace all, or, if not all, nearly all subjects of international concern?" Communication by means of telegraphs and railroads on the continent of Europe is governed by a system of treaty stipulations which is fast attaining the uniformity of codification. The same may be said of European copyright laws. The use of oceanic cables and of interoceanic canals is sure to be fixed at an early date by specific international rules; and sooner or later we may reasonably expect to

¹ The full text of these "American War Articles" may be found in the General Orders of the War Department for 1863, or among Lieber's Miscellaneous Writings, edited by D. C. Gilman. Bluntschli gives them in the 1st appendix to his *Völkerrecht*.

² Text of the Brussel's Code may be found in an appendix to Bluntschli's *Völkerrecht*, and in various publications.

find such subjects as Sea-signals, Quarantine, Money, Weights and Measures, Longitude and Time, each the title-heading of a chapter in the code of nations.

These illustrations will suffice to indicate the processes by which the ethical speculations, the vague and verbose moralizings, of Puffendorf, Wolff and the early writers are gradually becoming reduced to a system of authoritative legal rules. To this end the writings of learned publicists have conduced greatly. Their efforts in our own times to bring the whole body of public law into the form of a complete code must, without doubt, facilitate the ultimate adoption of such a code. The late Professor Bluntschli, of Heidelberg, was the pioneer in this field. It is interesting to notice Bluntschli's acknowledgment that it was the appearance of Lieber's American war articles which prompted him to undertake, for international law as a whole, what his American friend had done for a part of it.¹ Probably the most remarkable attempt to bring the whole body of law into a form suitable for adoption by the nations has been made by an American jurist, Mr. David Dudley Field. His "Outlines of an International Code," revised 1876, is a volume which has received world-wide commendation. The labors of two great international societies—the Institute of International Law and the Association for the Reform and Codification of the Law of Nations, the one founded at Ghent in September, 1873, and the other inaugurated at Brussels a month later—have both already proved highly effective, and have a growingly auspicious future. With all their lingering prejudices, their jealousies, and their supposed conflict of interests, the nations are scarcely prepared as yet to adopt *in toto* so comprehensive a code as Mr. Field's. Nevertheless, there are many portions of it upon which agreement is already general; and for one who realizes the constantly accelerating tendency toward unification—which is the mark of our age—it is not hard to believe that differences will in so far vanish as to permit the adoption of a working code before the world is many decades older.

"Recourse is had to war only for want of a better expedient." Such were the words of the illustrious Sully, three centuries ago, when he announced to Europe his elaborate project for an international tribunal, which was to obviate "the necessity of passing through

¹ See Bluntschli's letter, introduction to Lieber's Miscellaneous Writings. Bluntschli's *Völkerrecht*—international law codified—will, at the request of the lamented author, be translated into English by Dr. H. B. Adams, of the Johns Hopkins University.

war to arrive at peace." ¹ Ten generations have passed away and Sully's plan in its details still seems a visionary one. Nevertheless, the world is deeply conscious that it has grown toward unity; and an international court of judicature would by no means so irreconcilably violate the existing nature of things in our day as formerly. Institutions come by growth, and growth is always conditional upon a rightly constituted soil. Even, therefore, if we could not claim that the institution of a tribunal of nations had yet so much as germinated, it would still be of genuine significance if we could show that the prerequisite soil was in process of formation. We may readily find three important elements of that soil: First, the development of the science of jurisprudence. The scientific and comparative study of law is giving the constitutional and municipal systems of various nations a strong tendency toward uniformity; and this growing harmony in legal ideas and methods must evidently facilitate the establishment of an international court of law. The second element is the growth of a law-abiding spirit—the recognition which has obtained throughout civilized society of the supremacy of law as opposed to force. As, under the constitutional *regime* of this century, law has everywhere become more stable and more just, and its administration in like manner has become more pure and disinterested, so respect for its authority and submission to its requirements have become well-nigh universal. This spirit of self-restraint and submission to law is not alone manifested in the dealing of man with man or in the internal regulation of a State. It also appears when a Geneva or Halifax award is honorably paid, or when public sentiment holds a strong nation to the terms of a treaty stipulation contrary to its supposed advantage. Such a public sentiment is the good soil in which international organization can find firm rooting. The third element is the radical change which has come about in the character of war. War was formerly regarded as the directly opposite condition of law. But to-day it is regarded as the instrument of law—a legal process for defending rights and redressing wrongs. International law forbids wars for conquest, aggrandizement, plunder, hatred, revenge. It requires that war shall be resorted to only in the failure of peaceable means, and that no injury shall be done the enemy beyond what is needful to attain the lawful end in view. It prescribes rules to be observed in war, just as municipal law may provide rules which the sheriff, or constable, or policeman must observe in making a seizure

¹ Sully's "Memoirs," vol. II., p. 353; Bohn's series.

or an arrest. In the history of private law we find a stage of self-help, when men avenge their own injuries and maintain their own rights; but the subsequent development of courts of justice follows as a logical necessity. The analogy is morally sure to obtain in the progress of international law. The idea of war as a legal instrument once completely recognized, and its replacement by the better instrument of a judicial tribunal becomes but a question of time.

That branch of jurisprudence known as private international law, or the Conflict of Laws, which has to do with the rights and relations of private individuals in foreign countries, does not require a system of international courts. In cases wherein its principles are involved, the ordinary courts assume a quasi-international character, and are guided by international law in their judgments. The appearance of this comparatively new department of law, and its practical recognition by the courts of all nations, are significant facts in the growth of internationalism. Many consular courts in Oriental countries—and especially the mixed tribunals in Egypt—partake yet more decidedly of the international character. In these Egyptian courts, which were established in 1876, European and native judges sit together to try all mixed cases, without respect to nationality, using a code based on the Mohammedan law and the Code Napoleon. Modeled somewhat after this Egyptian precedent, it has been proposed to erect an international court in Belgium, with jurisdiction over cases of private commercial law. Such a court, limited to the cognizance of cases arising under a single branch of private international law, could perhaps be organized with little difficulty; and while it would have no influence in the determination of great public questions, it might contain the potency and promise of a future tribunal with wider functions.

But it is for the settlement of disputes between sovereign nations, rather than those affecting individual rights, that a tribunal is most urgently needed. "Even if," says Professor Sheldon Amos, "for a time very few questions were in fact submitted to it, its very existence would be a type and pledge of an institution which the community of States must inevitably hereafter develop, and must facilitate the way to its formation."¹ There are jurists who see the imperfect beginnings of an international tribunal in the national courts which adjudge prize captures in naval warfare. In a restricted sense these may even now be regarded as international; for, although constituted by a belligerent to pronounce on the validity of captures

¹ "Political and Legal Remedies for War," p. 123.

from the enemy or from neutrals who are alleged to have violated neutrality, and therefore always liable to the imputation of unfairness and partiality, these maritime courts are nevertheless controlled in their decisions by international law, and their judgments are acknowledged as valid and final by all foreign governments. In a series of papers in the *Revue du Droit International* a year or two ago, a French jurist, Bulmerincq, discusses the present organization and procedure of these prize courts in all countries, and explains a project for making them more broadly international. Upon the outbreak of a war he proposes that each belligerent shall name a judge, and that these two, together with a third who shall represent the interests of neutral States, shall constitute a court, holding its sessions on the neutral soil of Belgium, and pronouncing final sentence on all captures. Or, as an alternative, he suggests a court of twelve members, one each to be named by Great Britain, the United States, France, Germany, Russia, Austria, Italy, Spain and Portugal, Turkey and Greece, Holland and Belgium, the three Scandinavian Kingdoms, and the South American States. Such a court, sitting only in times of war, and deciding only upon sea-captures, might readily, in that writer's opinion, be the germ or the prototype of a permanent tribunal which would ultimately do away with wars and sea-captures.

Other writers and jurists regard the court of arbitration as the prototype of the world's future tribunal. History records a great number of international disputes which have been settled by arbitration. Especially in loose confederacies like ancient Greece and medieval Germany such a system has had a highly effective place. In no less than sixteen cases the United States has resorted to this mode of settling controversies. It must be admitted, however, that most of these were of very minor importance, the most serious difference ever adjusted in this manner being our Alabama claim against England. There are obvious reasons why courts of arbitration, as usually constituted, are an imperfect and uncertain means of international pacification. On this point Mr. A. H. Stoiber, of New York, in a recent monograph says: "From the single fact that a court of arbitration depends for its very existence and origin upon a formal treaty between nations, results the uncertainty whether a pending quarrel will not lead to an open rupture before the diplomatists have finished their labors in effecting a treaty."¹ Says the same writer: "The essential elements of the court of arbitration are that the arbitrators are quasi-

¹ "On the Establishment of an International Tribunal." New York, 1881.

judges; that their appointment results from a special treaty; that the arbitrators can exercise their functions only in the single case for the decision of which they were chosen, and that the rules of procedure are also determined only for the particular case in question. It is evident that we have here nearly all the essentials of a civil court of justice, with this exception, that in the case of the court of arbitration the party representing the plaintiff has no acknowledged right to summon the supposed offender to the bar of justice, but must rely on the latter's sense of honor to consent to the creation of a court for the purpose of obtaining a judicial decision." Mr. Stoiber advocates the erection by treaty of a standing court of arbitration, the nations who are parties to the treaty agreeing to submit their controversies to the court and to abide by its decisions. The jurisdiction of the court would be limited to subjects mentioned in the treaty or to questions arising under a code which also would be adopted by treaty. Mr. David Dudley Field favors a somewhat similar plan, and provisions for the establishment of such a tribunal form part of his proposed code. Mr. Field's plan,¹ in brief, is this: When one country has cause of complaint against another it must make out and submit to the offending party a formal statement of grievances. If satisfactory explanations or amends are not forthcoming each government appoints five members of a joint high commission. In case the commission should fail to adjust the controverted matter each of the other nations who are parties to the code selects and duly transmits four names, and from the list thus impaneled the disputants alternately reject names till only seven remain. These seven constitute a high tribunal of arbitration, and their decision shall be final. Any nation violating the code or disregarding the judgments of the court incurs the risk of a war with the whole family of nations.

Now if these, and numerous other projects somewhat diverse in detail which we might describe for the erection of a great world tribunal, were merely the ingenious and philanthropic schemes of imaginative gentlemen, if statesmen and law-making bodies had given them no consideration, it might be unsafe to cite them as indicating definite tendencies of the times. But the facts are otherwise. International organization has held the eloquent and life-long advocacy of Americans like Sumner and Englishmen like Gladstone. It has become a custom, not only with the United States, but with many other countries, to insert in treaties provisions for resorting to arbitra-

¹ See his "Outlines of a Code." New York, 1876.

tion in case of disputes arising under the treaty. Moreover, governments have in so far recognized the possibility of improving the present imperfect system that in 1873 the British Parliament passed a bill favoring the establishment of a *permanent* system of arbitration, while in 1874 the Congress of the United States adopted a resolution authorizing the President to negotiate with all civilized powers for the formation of such a system. Russia, Italy, Sweden, Holland, have all expressed themselves as advocates of arbitration, and other European powers have more or less directly committed themselves. The significance of such expressions will not be denied.

For near a hundred years the Supreme court of the United States, the unquestioned and incorruptible arbiter between the constituent members of the Union, has stood an object-lesson to the world. John Stuart Mill calls it "the first example of what is now one of the most urgent needs of the civilized world—a real International Tribunal." The recent confederation of the British Provinces of North America, and the erection of a Supreme Court for the Dominion of Canada, is another move in the same direction, well illustrating the power of a neighborly example. And now as our Supreme Court may adjudicate between Maine and New Hampshire, and as the Supreme Court of Canada may decide between Nova Scotia and New Brunswick, and as both these tribunals were formed by the consent of the parties concerned, why also should not differences between Maine and New Brunswick, that is to say, between the American Union and the Canadian Dominion, be adjusted by an International Tribunal, also constituted by agreement between the parties concerned? It is hard to avoid the conclusion that some such tribunal is inevitable. It may not be the evolved product of consular or commercial courts; it may not result from the expansion of maritime prize courts; it may not find its prototype in the court of arbitration, and it may not be formed upon the model of the Supreme Court of the United States. But in a certain sense all of these are its forerunners, at once conditioning and heralding its consummation.

In accordance with our proposed outline, it remains to consider briefly the subject of an International Congress. Mr. Field's code, which we have already cited, provides for an annual conference of the representatives of nations, to meet successively at the various capitals for the purposes of discussing provisions of the code and their amendment, averting war, facilitating intercourse and preserving peace. A more ambitious scheme has been propounded by Professor Lorimer,

the Edinburgh jurist. His project ¹ includes an International Legislature, consisting of a Senate and a Chamber of Delegates, with its seat at Constantinople, which city is to be made an international possession, bearing the relation to the family of nations which the District of Columbia sustains to the States of the Union; a Supreme International Judiciary, with an international army to enforce its decisions; and the military and naval disarmament of Europe. Such schemes are admirable, and are only wanting, as Sheldon Amos might sarcastically remark, in regard for the true political difficulties which at present have to be overcome. "An International Senate and an International Parliament," says Dr. Bluntschli, ² "will long remain beautiful wishes. Nevertheless Europe is awaking to the need of an organization; and, in my opinion, its attainment will only be possible when the attempt at an organization *over* the States is abandoned, and an organization *through* the States is adopted." Dr. Bluntschli's view is manifestly right. The sovereignty, independence and equality of States as organic personalities are ideas too firmly grounded at present to permit the formation of an international congress which is not simply a diplomatic body, or to admit the validity of any international legislation that does not take the treaty form and acquire its force as law through the formal ratification of individual sovereign States. In the history of confederated governments there is a preliminary stage, a period of diplomatic alliance, leading up by more or less distinct transitions to federal union or consolidation. Thus, the American Union, before 1789, was in form an international league, the Articles of Confederation constituted a treaty between sovereign States, and the Congress was a diplomatic body composed of representatives not of the people but of the governments of the several States. And even this imperfect state of confederation had its earlier beginnings in the occasional coöperation of the Colonial Governments, as in Indian wars, for example. Even under our present national Constitution, the equality of representation in the Senate is a survival of the period when we were not one but thirteen. The history of the Swiss Confederation, of the Argentine Confederation, and of the German Empire similarly illustrates the progressive stages in the growth of federal governments. It is only by such stages and from such tentative beginnings that the great world-congress of the future can come into being.

¹ Professor Lorimer in *Revue de Droit International*, 1877.

² Bluntschli, "Moderne Völkerrecht," p. 109.

A European has not yet been formally organized, but its idea can no longer be called a dream. For centuries there has been growing up a European constitution. Its development has been neither rapid nor symmetrical, and has been subject to many reactions, but it has been real and cognizable nevertheless. A leading principle of that constitution is the accountability of each individual State to the family of States in matters pertaining to external policy. While the principle of non-intervention in the private internal affairs of a State has become continually better established, it has become equally well established that every great question which affects the well-being of Europe shall be decided by the united voice of Europe. The doctrine of the balance of power, the essence of which is "that the nations shall together judge of the infraction of the public law by any one of them and act in concert to prevent it," is one phase of this general principle. The diplomatic congress or conference, as the exponent of this general European sentiment, is another of the marked features of the growing constitution of Europe. Several of these great gatherings have already been referred to as of importance in the development of a code. It was the Congress of Westphalia which secured the results of the German Reformation and laid the foundations of Prussia. The great congresses of Nimeguen, Ryswick and Utrecht restored the balance which had been overthrown by the ambitious Louis XIV. Of the congresses at Soissons, in 1727, and at Aix la Chapelle, in 1748, we are told that they renewed and confirmed the treaties of Westphalia, Nimeguen, Ryswick and Utrecht, "so that their labors formed a continuous series and identical body of international legislation," covering an entire century. Within our own century there have been gatherings not less notable. The Congress of Vienna, 1815, which met to readjust Europe after Napoleon's downfall, made more changes in geography and politics than the Corsican had wrought. The Congress of Paris, 1856, at the close of the Crimean war, humiliated Russia, bolstered up the decrepid Turk, neutralized the Black Sea, and abolished privateering. The Congress of Berlin, 1878, says Mr. Field, was the most conspicuous and successful example of an international congress to avert impending war. There were settled questions not merely of European, but of Asiatic interest; questions affecting not only Russia and Turkey, but England, Austria and Greece as well; questions of supreme importance to the diverse populations of vast provinces, while millions of armed men stood looking on ready to spring into the arena if the counsels of peace had not

prevailed." The Conference at St. Petersburg, in 1825, led to the independence of Greece. The Conference at London, in 1831, secured the separation of Belgium and Holland, and made Belgium a perpetually neutral State. Another conference at London, in 1871, restored to Russia her ancient rights on the Black Sea, which the Congress of Paris had taken away fifteen years before. These familiar events are by no means here adduced as a list of European gatherings, but merely as a citation of instances to illustrate the practice which will ultimately become invariable of solving the great questions which concern all Europe through the united counsels of the European States.

It is generally characteristic of legislative bodies in their earlier and forming stages that they deal with concrete and special questions even more than with abstract and general questions, thus performing many offices which at later periods are assigned to executive and judiciary departments. It may not be unreasonable to predict that this differentiating process, which is well illustrated by a comparison of the functions of our Continental Congress with those of our present Congress, will also be repeated in the slow upbuilding of a European organization. Upon the formation of an international tribunal, or standing court of arbitration, many of the particular, concrete subjects heretofore dealt with by congresses and conferences will be assigned to the judiciary, and the congress will more and more tend to become a strictly lawmaking body, working out those principles and statements of public law which shall guide and control the judiciary in their adjustment of specific controversies. It will mark a great progress when the European Congress—which we may regard as the prototype of that more broadly international organization which must also include America—shall begin to hold regular and periodic sessions. In this connection may be mentioned as significant that provision in the international postal treaty which calls for a convention of revision every three years. A periodic conclave of the nations of the world, though but for the single object of revising a postal treaty, is a prognostic the import of which can hardly be exaggerated. After all, it is chiefly through such agencies as the postal system, the telegraph, the growth of commerce, the new facilities for travel, emigration and popular information, that old prejudices are vanishing, the nations are becoming acquainted with one another, and the world is ripening for an era of law and peace. A Monetary Conference, a meeting of the Evangelical Alliance, a scientific gathering like the recent Congress of

Electricians at Paris, the meetings of the great societies for the improvement of international law, great world fairs like those of Vienna, Philadelphia and Paris—all these are vastly more full of significance as showing the drift of our time toward internationalism than are even such splendid political pageants as the Berlin Congress. That noble international affiliation of relief societies wearing the badge of the Red Cross of Geneva, an association whose magnificent service has been so conspicuous in the alleviation of suffering on every recent battle-field, recognized and protected by every civilized government, is a potent sign of the times. Even that once dreaded and denounced communistic order, the workingmen's "International," has had, indirectly, its useful mission in teaching lessons of organization, human brotherhood, the universality of social problems, and the identity of interest among the world's toiling masses, regardless of national distinction.

It has not been the purpose of this paper to promulgate any doctrine or to advocate any scheme. The attempt has been simply to note here and there a floating straw on the life-current of the age, that we may know assuredly in what direction that current is flowing. And if we conclude that the world is making strong and tangible progress toward union, law and perpetual peace, it is not alone upon sentiments of benevolent optimism, but also upon the facts of history and society, that we base our conclusion. Many years ago, in an address at Paris, Victor Hugo uttered the following prediction:

"A day will come when the only battle-field will be the market open to commerce and the mind open to new ideas. A day will come when bullets and bombshells will be replaced by votes, by the universal suffrage of nations, by the venerable arbitration of a great sovereign senate, which will be to Europe what the Parliament is to England, what the Diet is to Germany, what the Legislative Assembly is to France. A day will come when a cannon will be exhibited in public museums just as an instrument of torture is now, and people will be astonished how such a thing could have been. A day will come when those two immense groups—the United States of America and the United States of Europe—shall be seen placed in presence of each other, extending the hand of fellowship across the ocean."

ALBERT SHAW.

OF WHAT USE IS THE BUREAU OF EDUCATION?

THE collection of accurate information about the affairs of a country is practiced by all governments, and the propriety of doing so is conceded by all persons who have or retain any interest in the condition of things in this world. The difference in this matter between absolute and free governments is that the former conceal the information collected, and the latter make a great part of it known to the public. Larousse, in his *Encyclopedia* (article "Statistique"), observes that statistics are a positive necessity in representative governments; and he quotes M. Michael Chevalier as saying that "the relation of a representative system to its statistical collections is so intimate that the good condition of one implies the perfection of the other. When we speak of a representative power we, in effect, speak of publicity. It is not affirmed that publicity is the whole of a statistical system; but it must be acknowledged that publicity forms its chief part." In other words, publicity is the life of representative governments.

Nations have been established in past times on many kinds of foundation; some on community of blood, some on community of religion, others on community of interests, and yet others on peculiarities of locality. It has been reserved for the nineteenth century to see a nation organized and a government established of which the foundations are common suffrage and common schools; in which the blood of three races and of many nations is flowing; in which all religions are free but none is supreme; under which the interests produced by every climate, soil, and vocation of a continent are developed side by side, and through which the diffusion of information is kept up by the regular action of all public and private instrumentalities.

Our National Government has, then, a twofold relation to our people and our institutions; in one direction it has executive and administrative power, and in the other an informing advisory function. The principle of publicity is shown in both ways. The administrative and legislative documents are for the purpose of informing the people exactly and fully about what its officers are doing, and abound in useful explanatory details. The General Government also publishes, regularly or occasionally, documents on several subjects about which it exercises little or no authority, yet few know in how

many ways the public is dependent on these publications for its information. Of this kind are the publications of the Agricultural Department, the Signal Service of the War Department, the Bureau of Statistics in the Treasury, the Census Office, the Geological and Geographical Surveys. I could mention a good many other documents of as various kinds.

The growth of the country has produced, or been followed by, many interesting changes in the kind and amount of the information thus published by the Government. As its territory has expanded, as its population has increased in number and density, as immigration, industrial development, war and emancipation have changed the composition and character of its inhabitants, so the public documents have reflected the changes of the public need, and thus supplied in some measure the desire for accurate and extensive information on topics about which our forefathers never dreamed.

Education, however important it may be considered as a factor in personal and national life, was one of the last subjects to attract the notice of the people in general, or of the General Government, though Congress, even before possessing the title to the "public domain," had considered the propriety of making grants of lands for the support of schools and colleges, and the ordinance of 1787 had set the example of devoting a portion in each township for school-support. The transfer of these public school-lands began after Congress, by an act approved April 30, 1802, ordered the formation of a government for the State of Ohio, and by the act of March 3, 1803, provided that specified parcels of land should be "appropriated for the use of schools in that State, and" * * * "be vested in the Legislature of that State *in trust* for the use aforesaid, and for no other use, intent or purpose whatever." Similar grants of land have been made to each State organized out of the "public domain," and the amount so given for each township has been doubled in all such cases since 1848. Congress has also given other lands, or the proceeds of their sale, for schools, as in the case of Missouri (acts of June 13, 1812, and May 26, 1824), and has also granted two or more townships of land in each new State for "universities," and also valuable lands or land scrip to all the States for the support of "colleges of agriculture and the mechanic arts." The quantity of land for purposes of instruction thus granted to the States, or reserved for future grants to the Territories, up to June 30, 1880, was nearly *seventy-nine million acres*. Very few have ever objected to this fostering action of the General

Government, although it has cost, or will cost, the country at least \$100,000,000; the obvious advantage of spreading the culture of mind *pari passu* with the cultivation of the soil, of changing the immigrants into Americans as rapidly as you make them citizens, has closed all mouths.

Though Congress had done so much for local education and State development, no branch of the General Government published anything of importance till the great revival of interest in the instruction of our people about 1830 had created a desire for accurate and extensive data as to the condition of public intelligence. The census of 1840, in compliance with this public desire, included in its statistics the number of white persons over twenty years of age who could not read and write, and six other items, showing the numbers of elementary, secondary and superior schools and the number of scholars attending them. The decennial enumerations of 1850, 1860, 1870 and 1880 have given always increasing attention to this topic, though not in proportion to their increase in size or completeness.

But the study of education as a science or as a social force requires more than an enumeration every tenth year, and more than even State reports, city reports, college documents, school catalogues and journals of education supply. The very terms used to denote kinds of schools, grades of instruction and other matters differed so much that comparison was almost impossible, and when possible difficult and unsatisfactory. The educational history of the country will show numerous instances where experiments abandoned at one time have been retried at another with like results, where the imperfect school-laws of one State have been copied, often most carefully in their worst features, in the school-laws of others; other vexatious and wasteful consequences of ignorance or incomplete knowledge on the part of officials and legislatures are equally visible in our school annals. The growth of the country, the increase in the number of States and State systems, the alarming increase of ignorance and its consequences in spite of all individual, social and State action, made the study and knowledge of our education as a whole not only desirable but absolutely necessary.

It was this feeling that forced many of the most energetic and thoughtful persons among school officers and instructors to petition Congress for the establishment of a national office of education. Their memorial specified some six uses to which such an office could be put, and may be summed up briefly as follows: A central national

office would forward uniformity and accuracy of statistics; might compare native with foreign systems; might report the results of new and special methods of managing and instructing schools; could distribute useful knowledge about school laws; the care and disbursement of school funds; the duties and rights of school officials; the training, qualification and pay of school teachers; the classification and grading of schools, and the architecture of school buildings (respecting which information was attainable only by a few and at great expense, though of the highest value to every educator); it could help the proper organization of new school systems where needed, and might inculcate in general the value of education to intelligence, morals, industry, wealth and liberty.

This memorial was presented to the House of Representatives and referred to a committee, consisting of Messrs. Garfield, of Ohio; Patterson, of New Hampshire; Boutwell, of Massachusetts; Donnelly, of Minnesota; Moulton, of Illinois; Goodyear, of New York, and Randall, of Pennsylvania. A bill establishing an office substantially of the kind asked for by the memorial was introduced by the chairman of the committee, General Garfield, who advocated its passage in a speech full of thought, of apt quotation and of generous purpose, which closed with the following words:

I know that this measure presents few attractions to those whose chief work is to watch the political movements that relate only to nominating conventions and elections. The mere politician will see nothing in it valuable, for the millions of children to be benefited by it can give him no votes. But I appeal to those who care more for the future safety and glory of this nation, than for any mere temporary advantage to aid in giving to education the public recognition and active support of the Federal Government.

The bill passed the House, and on reaching the Senate was examined and favorably reported by the Judiciary Committee, Messrs. Trumbull, Harris, Clark, Poland, Stewart and Hendricks. It was passed by the Senate, and on March 2, 1867, became a law by the approval of the President.

This law ordains that the duty and purpose of the Bureau "shall be to collect statistics and facts showing the condition and progress of education in the several States and Territories, and to diffuse such information respecting the organization and management of schools and school systems and methods of teaching as shall aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the country."

It is obvious that the plan on which the Bureau was founded contemplates no authority of the General Government over the States or over any schools; on the contrary, its success depends on the degree to which it gains and possesses the confidence and coöperation of those employed in school work, as those only can furnish the information which the Bureau publishes and distributes. The result has been marvelous to all observers, and particularly to persons in foreign countries who are accustomed to see everything depend on the authority of the Government instead of the good-will of the people. Every important work of the Bureau has been undertaken and carried on with the consent and coöperation of the educators of the country. School superintendents themselves advised the nomenclature in some of the blanks used by the Bureau for collecting statistical information, so that the data in their possession could be reported in a manageable shape. These gentlemen also recommended the forms which are still in use for this purpose. The statistical table respecting State systems, resulting from the form recommended, contains fifty-one columns, and the corresponding table about city systems one hundred and twenty columns. These things show what the superintendents of these systems wish to be informed about, although some of them are not able to answer, for their own systems, all the questions of the forms devised. A like care and consultation were used in preparing the forms of inquiry from the answers to which other standing statistical tables are compiled. In all, thirty-one such statistical forms have been devised, covering the various instrumentalities for instruction usual in this country. Experience has in some instances improved or simplified these inquiries, and may do more in this direction hereafter.

The same sedulous respect for the opinions of American educators has been shown in the use made by the Bureau of the educational reports, journals, catalogues and other printed material published in every part of the country. These documents are most carefully examined, and whatever is thought specially useful as a record of fact is used in preparing, annually, an abstract of the condition and progress of public and private instruction.

It was by the advice of the profession that both the tables and the abstract of reports already mentioned have been included in the annual report of the Bureau. It is by the advice of many and much esteemed correspondents that special reports on several subjects have been undertaken, and in some cases published. The means at the

command of the office have not allowed its purposes or the wishes of its advisers to be fulfilled in all cases. Much valuable material, prepared by persons of special fitness, remains in the archives of the Bureau unprinted. This injustice to the authors and loss to the educators of the country is not justly to be charged as any fault of the office or of the Commissioner.

Probably few readers of this article need to be told that the Bureau is always open to every person who wishes information about education; the office "puffs" no schools, and has nothing to do with procuring situations for teachers, or teachers to fill places; on every other topic connected with education it tries to answer all inquiries and requests that it receives. This correspondence is very large and of the most various character. Frequently it has been found cheaper and more expeditious to publish the information desired than to write and rewrite it for all who ask for it. The "circulars of information" and other minor publications of the office have resulted from this condition of things; and the appropriations for the support of the office recite the preparation of these pamphlets among the objects for which the money appropriated may be spent. The correspondence, however, is rapidly increasing and taxes to the utmost the endurance and capacities of the employés for its satisfactory disposition.

These publications and letters of the Bureau deserve commendation in one respect if in no other; they report facts as rigidly and correctly as human fallibility and pressure of duty will allow. They say little about opinions, and cannot be attacked with justice by any party in politics or in religion. They recall the lessons of the past and record the events of the present, and let the facts speak for themselves. Moralists and men of affairs may use them or misuse them, but for use or abuse the office cannot be held responsible.

The collection and distribution of information, conducted as it has been by the office, has made the accumulation of an educational library inevitable and proper. The collection numbered in 1870 about a hundred volumes; now it contains over fifteen thousand books and thirty-five thousand pamphlets. It is particularly rich in periodicals of an educational kind, in works in foreign languages, and in the documents of public and private institutions and systems of instruction. A catalogue of its contents is in active preparation. The part already compiled, if printed in the style of Mr. Poole's great "Index to Periodicals," would fill four volumes, each as large as that remarkable work. Yet the enormous labor and care bestowed on this cata-

logue are known only to the persons connected with the Bureau, and can be guessed only by those who visit the office and see the work itself.

The office, in the performance of its work, has also found it necessary to make a collection of the apparatus and appliances of education; the same necessity has produced at other centers of information the pedagogic museums in London, Paris, Vienna and Rome. Here visiting educators can inspect in a short time what they could not examine otherwise without much travel, or collect without great expense and much trouble.

I hardly need to add that both library and museum are open to visitors on every working day of the year, or that all—and educators specially—are welcome to consult books and archives at their pleasure, if they will take the trouble to call and say so.

Another part of the Bureau's work is that of examining and digesting the information on education published in foreign countries, and of preparing and furnishing information about education in this country to other governments and to respectable inquirers abroad. Such comparison and interchange of thought and experience tends to correct partial or faulty opinions, and to produce more just and trustworthy knowledge everywhere. A very extensive exchange of documents and correspondence with nearly every civilized government in the world has been established, with the best results for this country, and it is believed for others.

In addition to these methods of obtaining, preserving, publishing and distributing information about education, personal intercourse between the office and the educators of the country has not been neglected. The Commissioner has visited, at different times, nearly every State and large city in the Union; has met and conversed with prominent men in all departments of educational work; has made addresses or read papers at divers times when requested to give his views, and has always welcomed all visitors, native and foreign, who have wished to consult him on topics within the line of his duty.

The routine of business in the Bureau, subject to the requirements of its purpose, is similar to that of the Department of the Interior, of which it forms a part. Its undertakings are always submitted to the Secretary of the Interior; its records are open to the inspection of the Department officials; its appropriations are disbursed by the bonded disbursing officer of the Department, and are audited and revised by the accounting officers of the Treasury Department. No special allow-

ance or extra pay has ever been given to any person connected with the office in any capacity. In short, the office has been managed, according to the measure of the Commissioner's ability and the meagre resources at his disposal, regularly, and as nearly in harmony with the wishes of the country as he could discover.

JOHN EATON.

SAFETY OF LIFE AT SEA—THE TRUST TO PROVIDENCE SYSTEM.

A GREAT number of persons interested in passenger steamers running between foreign countries and the United States will, no doubt, look upon the discussion of this subject in an American magazine, by an American, as little less than impertinence, when we compare the few foreign-going steamships that fly the American flag with the steam fleets of England, France and Germany. When we take into consideration, however, the fact that of the 800,000 passengers carried last year between ports in Europe and this country at least four-fifths of the saloon passengers were Americans, and that certainly nine-tenths of the western-going steerage passengers were on their way to new homes in the United States, an American's title to speak is made clear.

The people of both continents have just forgotten the shock occasioned by the sinking of the steamships *City of Brussels* and *Cimbria*, with the loss of over four hundred lives. The immediate effect of the disaster to the German steamship, with the terrible loss of life and suffering attending, is the agitation, both in Germany and the United States, for additional legislation on the subject of safety at sea. In the German Parliament inquiries have been instituted as to the penetrating power of the electric light in a fog, and the advisability of substituting it for those at present in use. In the United States Senate Senator Hoar has urged the acceptance of the International regulations, recently adopted by nearly all maritime nations except the United States. If Senator Hoar is quoted correctly,¹ he is mistaken as to the intention of these "rules and regulations for preventing collision at sea," which Great Britain wishes the United States to adopt, or, at least, his remarks are misleading. He states: "I wish to say now that all the

¹ *New York Herald*, February 4, 1883.

great maritime nations of the world, including Great Britain, France, Spain, Italy, Germany and lesser States, numbering thirty-five in all, have agreed on *a code of danger signals* to be observed by vessels, both steamers and sailing vessels, *when steering by compass*. The United States alone of maritime nations has not come into that convention. The result is, as everybody knows, and as we have had painful evidence during the last week, that collisions at sea are frequently occurring. I have a list of several hundred such which have occurred within the last few years. The United States vessels act upon a different system of *signals*, and it has been held by the Court of Admiralty of Great Britain that in a collision at sea an American ship is held to be in fault by reason of the refusal of our Government to come under the rules adopted by all mankind besides."

The italics are upon my responsibility. The Senator is mistaken in his premises. No "code of danger signals" to be observed by vessels has ever been adopted by Great Britain or any other country that I know of, except, perhaps, the United States. The fog-signals which were incorporated into the rules and regulations that came into force September 1, 1881, in Great Britain are precisely the same as those now in use in the United States, excepting that under the American act a steamer's whistle must be sounded every minute; under the British act every two minutes. These fog-signals in the case of steamers are only intended to give notice of their proximity, and, fatal defect! do not indicate in the least degree the direction of the ship's head, or whether she is stopped or moving through the water. The Senator also states in the quoted words that "the result is, as everybody knows," etc. How a collision between a British and German steamer, in German waters, can be affected by the adoption or non-adoption of rules or signals by the United States Government can be perhaps best answered by the honorable Senator from Massachusetts. To him I respectfully recommit the whole statement.

Possibly the signals to which Senator Hoar referred are the "Rules and Regulations for Preventing Collisions at Sea," familiarly known as the "Rule of the Road." These are, with two or three exceptions, the same that have governed sea-going steamers for some years in United States waters, and with three important additions, almost identical with those that have been in use in British waters since June 1, 1863, these in substance were subsequently adopted by the principal maritime nations of the globe, including the United States.

The Princess Alice disaster occurred on the Thames in 1878. An

excursion steamer, the *Princess Alice*, was run into and sunk by a freight steamer, the *Bywell Castle*, and between five and six hundred lives lost in an hour of a twilight evening. Then occurred precisely what has taken place since the *City of Brussels* and *Cimbria* disasters. Shoals of letters and articles were published by the newspapers in voicing the deep-spread and general horror, and the matter was at last taken up by the British Government. Lord Sandon, now Earl of Harrowby, was at that time president of the Board of Trade, which department has entire control of all such matters in Great Britain. A committee was appointed to take evidence of experts and examine the rules in force, with a view to the alteration of those existing, or the addition of new ones if they were found necessary. The committee had the advice of a corporation known as the Trinity Brethren, consisting of "the master, wardens and assistants of the guild, fraternity and brotherhood of the most glorious and undivided Trinity and of St. Clement, * * * commonly called the Corporation of the Trinity House of Deptford, Stroud." ¹ This venerable corporation is composed principally of active and retired admirals of the British navy and retired masters from the merchant service. The result of the fermentation was the new rules and regulations referred to above, which a correspondent of the London "Nautical Magazine" modestly describes as "a collection of enactments which have been studiously considered and made legal by the united wisdom of Europe," although he does admit that, "like all other things made by human heads, they are doubtless capable of improvement."

The first four articles differ very little from those they superseded. The fifth is an addition, and describes lights and signals to be shown when a steamship is disabled or not under command. By night three red lights of different construction from the red side-lights now in use; by day three balls two feet in diameter. Here is positive retrogression, which in matters of life and death can only be considered positive folly. The first thing to be done under this regulation is to clap three red lanterns and three red balls, two feet in diameter, on board ships that have already never less than three first-class bright lights, one or two red and green side-lights, and from half a dozen to twenty white lanterns, any one of which can be made available for use in the night, and from at least eighteen to fifty flags of different sizes that can be used in the day. In addition it will at once occur to any one that the three red lights and three balls might possibly be wanted

¹ See British Merchant Shipping Act, 1854.

once in a twelvemonth, while the ordinary lights and flags are always ready for use.

There are now only three foreign-going steamers out of Boston flying the American flag—the steamers of the International Steamship Company, running to St. John, N. B. If Senator Hoar will take the trouble to ask the opinion of the three masters and pilots of those foreign-going steamers, I think five out of the six will agree that the united wisdom of Europe might have done better.

The next change is also an additional article, compelling a vessel being overtaken by another to show a bright or flare-up light “from the stern.” The last additional article of importance is a notice concerning the use of steam-whistles to indicate the course intended to be taken by one steamer in passing another, the details of which it is not necessary to state, but to the adoption of which in this country there is one grave objection. The article is an effort to adopt a rule in British and foreign waters that has been in use for years in the United States. Then, instead of stating peremptorily and clearly that those in charge of steamers passing “*shall* observe and comply,” the following invitation to blunder is extended: “The use of these signals is optional.” So, I presume, is the use of the Ten Commandments; but there can be no doubt as to the unequivocal directness of the edict, that shows they are commandments of good intent! Furthermore, if the testimony were taken of masters and pilots of American merchant steamers and of British steamship masters, who are cognizant of the working of the rule referred to in the United States, they would agree almost unanimously that had these laws compelling the use of the steam-whistle by passing steamers been in practice on the Thames the Princess Alice collision would never have occurred.

As stated above, these alterations in the rule of the road were brought about by a collision on a clear evening on the Thames. The recent disasters to the City of Brussels and Cimbria occurred during a dense fog, and in the former case, if the testimony of the officers and engineers can be relied on, when she was stopped dead in the water, as “the engine had not turned for forty minutes.” On the side of the Kirby Hall we have testimony that the steam-whistle of the City of Brussels was not heard until two or three minutes before the ship was seen. At the time of the collision the wind was blowing a light breeze, and an ordinary whistle, such as ought to have been carried by these steamers, should have been heard at least two miles.

One or two things are very plain in this case. The most noticeable

is the fact that in fog, with all the precaution that prudence and the best seamanship may dictate, you are at the mercy of any one who does not take equal heed to the lives and property in his charge. Here was a ship entirely stopped in the water, doubtless blowing her whistle at least every two minutes, and laying in absolute safety, when another ship runs into her, stem on, staves two compartments into one, and sinks her in a few minutes. That the loss of life was not greater is owing solely to the fact that she had on board so few passengers. The next thing to be noticed is the fact that, unless there was misstatement on both sides, the steam-whistles of both ships, though no doubt of the regulation size and pattern, were grossly insufficient for the purpose for which they were intended.

This collision took place when a moderate breeze was blowing, therefore under favorable circumstances for hearing whistles and fog-horns. Probably the fact is that the mean range of audibility in all directions would be as great during a moderate breeze as with any other ordinary weather. But, notwithstanding, the evidence of the masters and officers on both sides is conclusive that not more than three, or at the most four, blasts of either whistle were heard before they came together. According to the testimony of the Kirby Hall officers her speed was three to four knots an hour. The officers of the City of Brussels state, on the contrary, that her speed was from five to seven knots. Therefore, according to the former the ships must have been less than a quarter, and by the latter less than half, a mile apart when the whistles were first heard.

In the case of the *Cimbria* and *Sultan*, one vessel puts her helm to port and the other to starboard, because under the existing regulation there is absolutely no method of conveying the least information as to the direction of the ship's head, or whether she is stopped or moving through the water. Additionally, as in the former case, is the fact that the signals in use under the present rules indicating the proximity of another steamer, although sounded every minute, were not heard by either more than once or twice before they came in collision.

If these recent collisions should have the same effect as the *Princess Alice* disaster, and be the means of forcing additional legislation for greater safety from collision during fogs and thick weather, surely something may be learned from the experience of those two ill-fated vessels and the hardly less unfortunate ships that were the cause of their destruction. That the laws at present in force are entirely insufficient to insure anything like the immunity from collision in thick

weather that ought to be obtained by the appliances at present at command will no more be denied by any one of experience than the assertion that, notwithstanding the enormous increase in the number of vessels, the percentage of disasters, whether by collision or otherwise, is as sure to be reduced as that all things are governed by the universal law of progression.

Professor Rogers, in a paper recently read before the Society of Arts in Boston, states that at least 70 per cent. of disasters occur from preventable causes. In a letter by Lieutenant J. D. Kelly, U. S. N., published in the New York *Herald* last year, is the following statement, showing "the average annual percentage of ships lost to average number of ships employed" to be as follows :

<i>Periods.</i>	<i>Average.</i>
1833 to 1835.....	3.72
1841 to 1842.....	3.20
1860 to 1862.....	3.00
1870 to 1872.....	2.95

If these statements and figures are correct, surely, in view of the rapidly increasing traffic between Europe and America, this subject deserves more attention than has been given to it up to the present time; unless we are to continue running under the present regulations as to signals and speed in thick weather until we are aroused from our indifference by another disaster even more appalling than those that have carried horror to a thousand homes.

As indicated previously, the rules and regulations for the guidance of passing steamers at sea have since 1863 originated in Great Britain, and have subsequently been adopted by other maritime nations almost without inquiry.

Why a few active and retired admirals of the British Navy, assisted by retired British merchant shipmasters and the officers of the British Board of Trade, should have the power, even if they had the ability, to make hard and fast rules for the government of merchant steamers and sailing vessels of all other nations in all parts of the world, it is not necessary to inquire. But, certainly, the result of their "combined wisdom" may be questioned by other nations, among whom the United States should certainly claim to be interested, as the adoption of these "*international* rules" would affect her coasting trade from Maine to Texas. That these rules are totally inadequate to prevent collisions in fog, even under the most favorable circumstances for hearing the signals, is known to every one who is interested in the matter, and to none bet-

ter than to those whose lives and fortunes are dependent upon their immunity from disaster. This being the case, it would be well for the United States Government to examine carefully these rules before adopting them, and to take the opinion of some of the masters and pilots of her coasting steamers as to the advisability of accepting them as they are at present constituted. The rule that requires, perhaps, the strictest examination is the one regulating the speed of steamers in fog. The article in force before September, 1881, read as follows: "Every steamship, when approaching another ship so as to involve risk of collision, shall slacken her speed, or, if necessary, stop and reverse, and every steamship shall, when in a fog, go at a moderate speed." Under the proposed international rules the following is substituted: "Every ship, whether a sailing ship or a steamship, shall, in a fog, mist, or falling snow, go at a moderate speed." Under this rule, what is a "moderate speed"? If the *Alaska*, probably twelve or thirteen knots an hour, as it is doubtful if she could steam at a less rate of speed than eight or nine knots and keep her engines turning with steam enough to keep them under command. Another Atlantic steamer of less power might be considered to be going at a moderate speed at eight knots, and could, perhaps, be kept under command going at the rate of four or five, while it has been decided by the Admiralty Court of Great Britain that, under some circumstances, four knots was an excessive speed. Surely something might be substituted for this uncertainty in this one of the most vital of all the rules for preventing collision at sea.

The first thing requiring attention are the existing signals in use on both steamships and sailing vessels. That the whistles commonly put on board steamers and the horns in use on sailing vessels are quite insufficient for the purpose intended—in the case of the latter, ridiculously so—is well known to any person of experience. Every one can call to mind instances of steamers being seen in a fog, and sailing vessels being alongside at the same moment that their whistle or horn is heard for the first time. In order, therefore, to obtain anything like even approximate safety, it is absolutely necessary to compel all vessels, whether steamer or sail, to carry much more powerful signals than those at present in use. All vessels being thus provided, it is surely feasible to adopt a system of signals to indicate to another steamer or vessel the direction in which you are going. Even if the four cardinal points could be indicated, a vast improvement would be made on the present system, and perhaps it would be advisable to have as few signals as

possible, in order that the system might be as simple as would be consistent with safety.

This proposal, which has been advanced by experts for some years, has met with strong opposition, both in the United States and Great Britain; and as long as the present "trust-to-Providence" system now in use prevails, will no doubt continue to be opposed; but ultimately it must be adopted in some form or another.

The next and most important addition that is required is a peremptory rule *compelling* a steamer to stop at once in a fog when another ship's horn or whistle is heard until perfectly sure of her bearing and of the right direction in which she is heading. This proposed rule will also meet with strong opposition from all those who consider the first requisite is to make a passage, and the second to have regard for the lives and property they may be in charge of. But to those who reverse the requirements, there can be no doubt of its being imperatively necessary.

Lastly, the penalty for the non-compliance with the regulations, when attended with loss of life, should entail liability to be criminally prosecuted; as in no other way can the shipmaster be protected from the reckless instructions of unprincipled shipowners, some of whom would subordinate everything, including risk of life, to a speedy, and therefore a profitable, voyage.

To show the absolute need of some such a statute it is only necessary to quote the following from the London "Nautical Magazine": "Admiral Halstead, Secretary of Lloyds, in a speech before the United Service Institution, said: 'The remedy for shipwrecks—what is it? I do not pretend for one instant to be able to provide a remedy, and I do not know anybody who can undertake to say what is a remedy for shipwrecks, but I will tell you this: if I could go on the Stock Exchange to-morrow morning, and by holding up my hands put a stop to all shipwrecks upon the coast, it would be a question how I could get safe with life off the Exchange.' We have here the highest authority for saying that the whole question of insurance involves more or less of fraud, and that ships are purposely wrecked."¹ Or, in other words, as long as the gambling system in vogue at Lloyds is continued there will always be shipowners to send any sort of a ship or steamer to sea, commanded by the cheapest masters they can procure, knowing that it involves only an additional fraction of one per cent. premium to be paid on whatever amount the vessel may be insured for. In the same

¹ January, 1883.

publication is the following extract from a communication on the subject of freeboard or overloading, which will apply as well to collision at sea: "It would be beside the question were we to attempt to show how there comes to be such a lack of independence among our shipmasters and officers, but a very slight inquiry reveals to us the fact that the supply is greater than the demand, and that the merchant service is glutted with certificated officers. The reason of this again is not far to seek, for the standard of the Board of Trade examinations is so low that there are many men holding certificates as masters who are from an educational standpoint only fitted to be boatswains;" * * * "but at the same time it is impossible to conceive any position a man can hold that requires so many high qualities and varied attainments as does the position of a shipmaster."¹

To which may be added that to those who have knowledge of the officers in charge of the deck, and upon whose judgment depends the safe running of many steamers, the wonder is, not that there are so many collisions, but that there are so few. When, however, the fact is taken into consideration that the majority of steamship masters in the British merchant service, after following their profession from ten to twenty years before getting command, are paid from \$60 to \$75 per month, and that some of the masters of steamships in the Atlantic service, that have frequently a thousand lives and property of the value of a million dollars depending solely upon their skill, judgment, and seamanship, are paid at the rate of from \$1,250 to \$1,500 a year for their services, it can easily be understood that something more than additional regulations may be demanded in the future.

It cannot be too often asserted that no weather can founder a properly constructed iron screw steamer when carefully and skilfully managed, while the best ships in the world may be recklessly driven against heavy gales and high seas until they come to grief. The only real danger to be apprehended in such a steamer, thus navigated and handled, is from fog. The foreign commerce of the United States is, probably, hopelessly lost, and, should the decline in American shipping continue in the same ratio that it has since 1860, there will not be a single steamship afloat engaged in the foreign trade and flying the American flag at the close of 1890. But we shall continue to have a large number of steamers engaged in the coasting trade, carrying thousands of passengers and engaging millions of dollars of capital. Before it is too late the United States should look to it that these

¹ February, 1883.

regulations for avoiding collision at sea, which they were about to accept from Great Britain almost without examination, and in which they will always have so vital an interest, should, before being adopted, receive more attention than they appear to have done up to the present time. And when a convention is again called to revise the rules governing the management of steamships of all nations in all parts of the world, let it be an international convention called by the United States, at which the United States shall be heard, and at which United States interests and United States experience shall be represented and respected.

J. W. SHACKFORD.

CONTEMPORARY LIFE.

A RETURN FROM EXILE.

John Howard Payne, the author of the song of "Home, Sweet Home" and of the tragedy of "Brutus," was born in New York, June 9, 1791, and died in Tunis, Africa, April 9, 1852. He was the son of William Payne, a school-teacher of East Hampton, Long Island, who was managing a school in New York City when his son John Howard was born, in a house near the corner of Broad and Pearl streets. The legend that John Howard Payne was born in East Hampton has no foundation in fact. He spent the first five years of his life in New York. In 1796 the family moved to Boston, where his mother, who was the daughter of a Jewish immigrant named Isaacs, died in 1807, whereupon the family returned to New York. William Payne died in New York in 1812, when his son was twenty-one years old.

William Payne laid special stress on the teaching of elocution, and at a very early age his son was his best pupil. Before he was thirteen, John Howard Payne showed skill in declamation, and revealed a fondness for the stage. To get him away from histrionic associations, he was sent to New York in 1804 and placed in a business house. But he carried his theatrical taste with him, and on Saturday, December 28, 1805, when he was only fourteen years old, he published the first number of the *Thespian Mirror*, a weekly theatrical journal, of which thirteen numbers were issued, the final number appearing March 22, 1806. This juvenile journal attracted attention to Payne, and a benevolent gentleman, named Seaman, offered to pay for his course at Union College. Payne remained at Schenectady, studying, publishing a college paper called the *The Pastime*, and taking part in college theatricals, until his mother died, shortly after which his father failed. Then Payne resolved to depend on his own efforts, and on February 24, 1809, when he was not yet eighteen, he appeared at

the Park Theater, New York, as Young Norval in the tragedy of "Douglas," in emulation of an English lad, Master Betty, who had been acclaimed in Great Britain, not long before, as the "Infant Roscius." He was instantly successful, and during the next four years he acted in the chief theatres of America.

In January, 1813, not long after his father's death, Payne set sail for England, and in June he acted at Drury Lane in the same part in which he had originally appeared in New York. He acted in London and in the small towns for a year or two. Then he crossed to France, studied the French stage, made the acquaintance of Talma, began to translate plays from the French, and finally settled down as the regular hack-adaptor of French plays for the English theaters, although he did not altogether give up acting. Charles Lamb was one of the firm friends the gentle and genial Payne had made in London, as he made friends wherever he went; and Lamb busied himself in helping Payne peddle his plays to the English managers. Among the dramatic pieces of all kinds, farces, comedies, dramas and melodramas thus conveyed by him from one language to another during the next few years were "Accusation," the "Maid and the Magpie," "Charles the Second," "Thérèse, or the Orphan of Geneva," the "Two Galley Slaves," "Peter Smink," the "White Maid," "Ali Pacha" and "Clari, the Maid of Milan." The last play, acted at Covent Garden Theater, May 8, 1823, was a sort of ballad-opera, the most of the music for which was composed by Sir Henry Bishop. Among the songs in this opera was "Home, Sweet Home."

This simple song was destined for an instant and lasting success. The son of President Tyler has recently recorded that John Howard Payne told him that the immortal words were written one night when he was wandering about the streets of London in a state of great dejection and despondency, for want of a shilling to pay for a bed, and that he sat down on the steps of a nobleman's mansion and wrote the song on a chance scrap of paper; there are reasons for believing that he had in mind when he wrote the East Hampton cottage of the family. Mr. James Rees has also recorded that Payne told him that he had first heard the air in Italy from the lips of a peasant girl, and that the rough notes of this melody, as he had taken it down, he sent to Bishop with the words. It is evident, therefore, that the poet deserves credit also for doing part of the musician's work. And yet, oddly enough, the fourth edition of the song omitted the name of the poet while giving the name of the singer and of the musical adaptor. Its title-page ran as follows: "Home! Sweet Home! sung by Miss M. Tree, in Clari, the Maid of Milan, composed and partly founded on a Sicilian air, by Henry R. Bishop." This forgetfulness of the real author of a song sung wherever the English language has penetrated, and a complete oblivion of the fact that the author of this best known of all English songs was an American, continues almost to the present day in Great Britain. Mr. Gabriel Harrison, the author of the only

ample biography of Payne, quotes in full the letter written to Bishop and inclosing the song; he also quotes three different versions of the song written by Payne at different times. Mr. Allibone notes that 100,000 copies of the song are said to have been sold within ten years after its publication. It is not difficult to account for this popularity. The words are simple and go straight to the heart; they dwell on a sentiment well-nigh universal in the Anglo-Saxon race, the members of which, however adventurous they may be, or however far they may wander, and perhaps, indeed, because of their adventures and wanderings, always keep fresh the sweet memory of their early home. It was given to an adventurous and wandering American to write this "Ranz-des-Vaches" of the Anglo-Saxon race. "Home, Sweet Home" was the work of one who knew not what it was to call any one place his home from the day he was ten years old, who lived all his life long a stranger in a strange land, and who died almost alone on a foreign shore.

Although most of Payne's plays were adaptations from the French, all were not; and of his more original dramas by far the most important was "Brutus; or, The Fall of Tarquin," first acted at Drury Lane, December 3, 1818, with Edmund Kean as *Lucius Junius*. There had been other plays on the subject, none of which had succeeded, and in his preface Payne freely and frankly acknowledged his indebtedness to his predecessors. That he borrowed largely is indisputable, but it is not fair to consider his play a mere *rifacimento* of other men's work. It had at least one quality which theirs lacked—it succeeded. If he stole his material he stole also the Promethean spark that gave life to his puppets. *Brutus* remained one of Kean's best parts. It was undertaken in America, notably by Edwin Forrest and Junius Brutus Booth. To this day it holds the stage, and is often acted now by Mr. Edwin Booth and Mr. John McCullough. It is pleasant to be able to record that the first tragedy written by a native American, and successful abroad, retains its power to please to the present day, more than three-score years since it was first acted.

During Payne's residence in London he started a paper called the *Opera-Glass*. In July, 1832, he returned to his native land, and was honored by testimonial benefit performances in New York, Boston and New Orleans. He traveled through the country preparatory to starting an international periodical to be called "Jam Jehan Nima" (from a Persian phrase meaning the goblet, in which you behold the world). The paper was to be published in London for the encouragement of American writers and the vindication of America against any British assailant. This project never got any further than the prospectus. Through the efforts of Webster and Marcy, President Tyler appointed Payne as Consul at Tunis, on August 23, 1842. He arrived at his post within a year, but was recalled in 1845. He returned home in 1847, and was reappointed in 1851. Early the

next year his health began to fail, and he died at six in the morning of April 9, 1852. The Government of the United States put a stone over his grave, and had engraved thereon a wrong birth-date and a wrong death-date. More than thirty years later, January 5, 1883, Payne's body was taken from its tomb to be transported to the United States, at the expense of his old friend, Mr. W. W. Corcoran, who has wished to put a fitting memorial over his grave, now that he has reached his home at last, and for the last time.

THE DEATH OF A GENIUS.

The death of Richard Wagner—what it means to the future, what it recalls from the past—is still of sufficient importance to furnish a subject of discussion. His decease removes from the sacred circle of majestic men one of the most remarkable, one of the most original, of the intellectual giants of modern Europe or the world. Wagner was not merely a musician; he was, apart from his art, a man—a force in the affairs of continental life—a modern Peter the Hermit. The crusade that he led against the Saracens of music had many collateral ambitions; it was directed against the vagaries of literature, the iniquities of kingly and personal tyranny no less than against the deformed and wizened oracles of Calliope, Euterpe, Melpomene and Terpsichore. His every effort was dedicated to freedom, whether upon the barricades of Dresden, in 1848, or upon the boards at Baireuth, in 1876. In everything he was imperious, positive, commanding. A Napoleon in his ambitions, he came not into the world to bring peace, but a sword. He led a militant life, surrendering the command to no one. He drilled his followers like an army, accepting their adulation only as it was a matter of right and obedience to him. He was afraid of nothing, the cannons of the King of Saxony or the canons of art, as he found it. Impetuous, restless, active and ambitious, with a singular and pronounced presence, he moved men with a look, a word, a desire. Never hesitating to lead, he found no difficulty in inducing others to follow, and there was always a battle without mercy. Even to the smallest incidents of his life was this his principle, so well illustrated when he, after assaulting an individual named Gregg, refused to apologize, because “a man who suffers himself to be called Gregg is a permanent outrage on the human ear.”

His genius was as positive as his character. It was not until 1840, twenty-seven years after his birth in the city of Leipsic, that he attracted any attention as a composer; it was 1860 before he was recognized as what he unquestionably was, the foremost musician of his time. His genius being that of a radical innovator, found at the outset a world of enemies. Ground was gained slowly. The tempestuous times in which the composer lived were not favorable to the applause of tempestuous genius. Eventually, his enemies

were transformed into protesters; his followers to worshippers. The most powerful lever of public opinion—money—aided much in this result. The managers of opera houses found out that, however much they were condemned, Wagner's operas filled the treasuries. This completed the rout of the enemy, and the hot-tempered, brave-hearted, eccentric composer died possessed of all the laurels of triumph he had ever dreamed of. His life was a skirmish, a combat, a pitched battle, a long siege, and a wonderful victory.

The strife with him is ended. He is laid within a tomb of his own designing, and he leaves to the world a legacy of immortal value. His true test is now to begin. No great captains mourned at his grave who are left to continue the fight. His music must live or die, according as it is true music; according to whether he wrote as one touched with divine fire—

On wings of fancy to display
The flags of high invention.

No one will question here. The music of the future has blossomed into the music of the present. Wagner has become as much an essential of our cultured life as is Beethoven or Mendelssohn. His whole career proved a tonic to musical taste. A hundred reforms in and about the theatre, a hundred effects which are to-day enjoyed by theatre patrons, are directly due to Richard Wagner, and are his invention, for he was a practical stage machinist and a tireless inventor in his own field. His standard was always the highest, as he conceived it, and it was just as high in little things as in the greatest. His farewell address to the singers, posted in the dressing-rooms of those who participated in the first Bayreuth festival of 1876, contained an exposition of this in these words: "Take good care of the little notes, the big ones will care for themselves." His private life, in the matter of his marriage, is his one conspicuous blemish on an otherwise highly ideal career, and perhaps when judged from the standpoint of his perpetual insistence upon freedom in everything, he was but consistent in this. His wife, the daughter of Liszt, was first the wife of Hans von Bülow, and was never divorced from her first husband. She is a gentle, lovely woman, and exercised upon her second husband's life an influence at once elevating and pure. She did much to remove from Wagner's later years the rough mannerisms that had emphasized the earlier periods of his career; a career which, when finally adjudged, will be found to have been beneficial and worthy of applause. The art life of our time and all time to come is better, more true and generous, for that Richard Wagner lived.

A FOOL AND HIS FOLLY.

The harvest of credulity within the month has been abundant and universal. People everywhere accepted, in whole or in part, the assertion of a foolish fellow simply because it was made with the positive-

ness of fanaticism and the self-confidence of ignorance. E. Stone Wiggins, a Canadian, whose name heretofore has been kept a profound secret by fortune, predicted last autumn that the 9th, 10th and 11th of March of this year were to be days of desolation; that high tides and hurricanes, tornadoes and tempests, were to sweep from the seas all vessels smaller than a Cunarder, and to wreck the cities and towns of a continent. The sun has since shone upon no trace of destruction that can be held to have justified the prophecy. The damage of the 9th, 10th and 11th of March is directly chargeable to the prophet, and not to the storm he prophesied, which did not come.

This Wiggins, as a prophet, is a mushroom creation of American journalism and the ripe result of as shrewd a piece of inferential advertising as has lately been attempted. He achieved fame in the sailing of one balloon. He impressed himself into the conversation of a continent by invoking the aid of fear and prating about destruction, as though it were a familiar force and he had obtained from the patentee the sole rights for the United States and the Dominion of Canada. Applying the methods of quack medicine manufacturers to science, he advertised his storm, and then, upon the countless issues of the press, printed himself into power. A sufficiency of ordinary March weather furnished him on the 10th with what he was pleased to term a fulfilment of prophecy, and the unthinking public, unwilling to give the time to a comparison of results with predictions, will accept in a measure the prophet's opinion of his success. This unhappy fact establishes Wiggins. He takes high rank henceforth with the bores of the day and with the fools of a restless civilization.

A certain modicum of false prophecy may be necessary, under Divine dispensation, to the leaven of true social progress; a certain turning aside to foolishness, a certain deference to folly, may perhaps save us from graver errors and faults more profound. Yet is there not a duty to ourselves imperatively implied by the lesson of the Wiggins' storm? His false and foolish words caused much fear, loss of business, waste of capital, derangement of the current life of the country, and in some cases insanity, which may be followed by death. Is it to be permitted to any one with a hobby or an advertisement the right to so disturb society? The newspapers are responsible more largely than the prophet, but they cannot be reached by the law. Wiggins, perhaps, can be reached. If so, he certainly ought to be in the interest of good order. The pomps and conceits of his brain can be shown to be such only after failure—after the damage is done—and it would be a most commendable service by the law if Wiggins could be consigned to a treadmill for life, where the regularity and simplicity of his employment would preclude trading on human credulity and weakness, or any traffic in hurricanes and tornadoes, in tidal waves and storms.

CONTEMPORARY LITERATURE.

*INTERNATIONAL LAW.*¹

Professor Lorimer has repeated the offense perpetrated in his earlier work on the "Institutes of Law," by printing the substance of lectures delivered by him during the twenty years of his professorship, and dubbing the books "Treatises," as if they were original studies. Based largely on the exhaustive volumes of Bluntchli and Heffler, and drawing freely from Wheaton and Wharton, they still remain fragmentary and elementary, and smack strongly of the Edinburgh school, with its love of rhetoric and its display of dialectics. These may serve well enough to keep alive the flagging attention of youthful audiences, but they take away from the merit and value of a book claiming to be the last word on a subject of such vital importance as international law. The origin and home of the author are seen in his use of phrases that may be good Scotch, but are very doubtful English, as for instance the words "consuetude" and "consuetudinary" law, recognition, legislation, character, code and rejection, all of which may have passed muster with Scotch hearers, but are not likely to be accepted by English readers. As all writings on international laws are now likely to come home to large numbers of persons who speak or read English, both in this country and among German and other Continental students, it is to be regretted that Professor Lorimer could not lay aside his peculiarly local Scotch patriotism. To speak of the Scotch in Ireland as peace preservers, and to assume that the inhabitants of Scotland, though less in number than the population of London, are more important factors in the world's progress, may commend Professor Lorimer to his Scotch classes, but are not worth the place such assertions take in his book. Poor Wheaton suffers in having been edited by Lawrence, but it is still harder that a Scotch professor should depreciate Wheaton as only a case lawyer, and praise Lawrence as a "continuation," whatever that may be, "not inferior to his author." "Sulsumes" and "identic," too, smack strongly of that curious language in which Scotch lawyers and judges still hide their meaning. Indeed, Professor Lorimer, in his criticism of Puffendorff, hits off his own peculiarities, "an unpardonable amount of commonplace" and "consequent dullness." Although that can hardly be predicated of his denunciation of the treaties made by the first Napoleon, as serving "no other purpose than that of enabling us to trace the victorious progress of a tyrant who was guilty of almost every crime of which humanity is capable, murder included, and whose ambition never rose above personal aggrandisement and the gratification of personal and

¹ The Institutes of the Law of Nations: A Treatise of the Jural Relations of Separate Political Communities. By James Lorimer, LL.D., Advocate, Regius Professor of Public Law and the Law of Nature and Nations in the University of Edinburgh, etc., etc. In Two Volumes. William Blackwood & Sons, Edinburgh and London, 1883. Vol. I., pp. 449, 8vo.

national vanity." In still worse taste is the denunciation of the treaties from 1812 to 1815, "indicating the footprints of the Nemesis that chased him to his doom," and telling a story which reads like the plot of a great tragedy, every actor in which was soiled by the vices and degraded by the weaknesses of the hero of the piece. Equally out of place is his theatrical arraignment of Beaconsfield for Jewish sympathies in his conduct of British foreign interests, supported by references to "Tancred" and by foolish chatter about Semitic idiosyncracies that may have amused an audience of youthful Edinburgh Whigs, but must offend any serious student of international law as a science. His faith in codes and international law institutes and public opinion as a source of legal science is somewhat shaken by the vacillations of the *Times* and Germany's army of 1,800,000 men, ready to move on ten days' notice, as if these were elements in the scholarly discussion of the law of nations. Equally farfetched and out of place is the effort to make ethnology and craniology branches of the new science of international law, while there is almost a suggestion of a Scotch joke in a reference to the author's treatise on law as an authority in support of the Golden Rule, and in the citation of essays written by his own students for prizes. Indeed, his footnotes are full of mild puffs of books by his Edinburgh colleagues, and he relies on one of the theological faculty as sufficient voucher for the statement that the Mahometan nations of Europe, Asia and Africa are unfit for international relations because they are not Christians, a rule that would certainly simplify the future of European interests in the East and justify whatever the English may do in Egypt, the French in Algiers, and the Russians in Khiva. Professor Lorimer argues elaborately in justification of the action of the English Government in recognizing the Southern Confederacy, although the Geneva arbitration and subsequent dealings between the United States and Great Britain are based on the common acceptance of the opinion that such a recognition was both premature and erroneous. Indeed, Professor Lorimer himself cites with approval the fact that the Spanish recognition of the independence of the Netherlands and Switzerland did not take place until fifty years after both of these States had established their right to rank among sovereign powers. The wordy discussion of relative merits of forms of government is far inferior to the pithy definitions in William Penn's apothegmatic sentences on the same subject, and a diligent perusal of Penn's instructions to his deputies in Pennsylvania would serve to show how little progress has been made in the elucidation of the truths of political science since his day. Indeed, the absurd argument that Scotchmen would have governed the Zulus better than Englishmen because the North of Ireland has been tranquil in spite of disturbances in the rest of the island might well serve as a reason for extending the American Government over the whole continent, both north and south. He bases his claim on the superior gift of Scotchmen for overcoming the difficulties in the

way of tranquilizing new settlements, just as if there were still some real and radical difference between the people on opposite sides of the Tweed, when in point of fact the Scotch, for all purposes of exterior government and international relations, have for two centuries and more ceased to have any personal identity at all. It is pleasant to find that the sketch of the literature of legation is very well done, although the title smacks more of French than English, for there is no such use of the word "legation" as to justify its adaptation in this way. Here again, however, the space assigned to Scotch diplomatic and consular relations, both at home and abroad, is disproportionate, in view of the fact that, of course, it has no value other than historical. Would it not be worth while reviving the old custom by which foreign consuls were originally elected by the merchants of their nation at the port at which their duties were to be performed as a better way of securing good commercial agents than the unsuccessful methods in force in this country? Of course, such consuls were merely private agents of the merchants who selected them and arbiters in such disputes as they chose to submit to their decision. It is, however, no further from the kind of office that the consul holds under English and American law than that created by the treaty of 1842 between France and Italy, which is printed in full as defining clearly the position it occupies with continental nations. Hardly less suited to its place is the authority awarded to the Institute of International Law, of which Professor Lorimer seems to be an active member. He puts its approval, although it is merely a voluntary debating society, with representatives from different countries, on a footing of equality with legislative recognition, and undertakes to assert the final settlement of nice points of international law, such, for example, as those that arise under the vexed questions of domicile, by citations from papers read at its meeting. This, of itself, may serve to show how little fitness Professor Lorimer has to be a teacher of international law, from his inability to understand the importance of settling the weight of authority as a basis of all legal science.

AN AMERICAN ROMANCER.¹

Professor Thomas R. Lounsbury's book on James Fenimore Cooper may suffer in the estimation of not a few of its readers through the fact that it begins with the preface and the first chapter. We are first told that when Cooper lay on his death-bed he enjoined his family to permit no authorized account of his life to be prepared, and that as a necessary result of this dying injunction the direct and authoritative sources of information contained in family papers are closed to the biographer. For a moment it seems as if the biographer were taking pains to point out that he had undertaken an ungracious task without

¹ James Fenimore Cooper. American Men of Letters Series. By Thomas R. Lounsbury. Houghton, Mifflin & Company, Boston, 1883. Pp. 306.

adequate material, nor are the apprehensions of the reader lessened when he glances at the introductory pages of the book. There he fancies that he discovers that tendency to make three words do the work of two which might be expected where the author had a large book to make and not so much material to make it with as he could have wished. "Though it was here that the days of Cooper's childhood were passed," we read, "it was not here that he was born. When that event took place the village had hardly even an existence on paper. Cooper's father, a resident of Burlington, New Jersey, had come, shortly after the close of the Revolutionary War, into the possession of vast tracts of land, embracing many thousands of acres along the head-waters of the Susquehanna. In 1786 he began the settlement of the spot, and in 1788 laid out the plot of the village which bears his name, and built for himself a dwelling-house. On the 10th of November 1790, his whole family—consisting, with the servants, of fifteen persons—reached the place. The future novelist was then a little less than thirteen months old, for he had been born at Burlington on the 15th of September of the year before." Apart from the miscalculation of the child's age and the exasperating needlessness of the information as to the numerical strength of the household, there being no indication of the number of servants included, it might be objected by a reader who was at all critical that Professor Lounsbury could have improved his style by the simple expedient of striking out every other word. Nor do things mend when we come to the passage describing young Cooper's maritime experiences. "In the autumn of 1806 Cooper was placed on board a vessel that was to sail from the port of New York with a freight of flour to Cowes and a market. The ship was named the *Sterling*, and was commanded by Captain John Johnston, of Wiscasset, Maine, who was also part owner." The *Sterling* sailed with freight in January, 1807, for the Straits of Gibraltar. It took on board a cargo of barilla at Aquilas and Almeria, and returned to England, reaching the Thames in May. In London the vessel lay several weeks, discharging its cargo and taking in more, which this time consisted of dry goods." A less inviting introduction to a popular work it would be difficult to imagine, and a timid or impatient reader might be pardoned for recoiling from the perusal of Professor Lounsbury's book. The reader, however, who is not scared away at the outset will not be long in discovering that, whether as a biographer or a critic, its author is a most agreeable and profitable companion, and that his volume does not suffer by comparison even with the best of its predecessors in the "Men of Letters" series.

Not only have we here presented in a compact form all the facts attainable or desirable with reference to Cooper's life and works, and critical appreciations that are at once sound and sympathetic, but we have as well that elaboration of atmosphere and surroundings which in but too many books of this sort is conspicuous by its absence. There is a bad practice among American bookmakers of ignoring the

fact, alike patent and important, that readers of this generation have, and in the nature of things must have, a most inadequate idea of America as it was fifty or sixty years ago. This defect is not to be found in Professor Lounsbury's volume, and the excellent result is that while the reader is not hindered in his enjoyment, he is at the same time enabled to understand why controversies that to him appear ridiculous and unworthy were to the parties to them and the public of half a century ago most real and serious affairs.

Probably the most interesting chapters in the volume before us are those in which the famous war with the press, apropos of the Three-Mile Point controversy and the "Naval History," is described. The notice which this subject has received in Frederic Hudson's "History of Journalism" is of the most brief and unsatisfactory sort, and Horace Greeley's account, in his "Recollections of a Busy Life," is most misleading. Apart from the importance of the topic, its treatment by Professor Lounsbury is very happy, and we cannot recall a more enjoyable history of its sort outside of De Quincey's account of Bentley's famous litigation. Cooper had by the end of 1837 improved sedulously every opportunity of making himself unpopular, both with the public and the press. The papers had criticized himself and his works, and he had retorted with equal bitterness and vigor. He had described their enterprise in news-gathering as a mere mercenary diligence in the collection and diffusion of information, whether true or false; he had characterized their reporters as funguses of letters who flourished on the dunghill of the common mind, and miscreants who pandered for the press; he had asserted that under the pretence of serving the public, editors used their papers to aid their ambition or to gratify their spite; he had such a positive genius for saying injudicious things that during his war with the press scarcely one paper of his own party came to his aid against the solid phalanx of the Whig journals. The Three-Mile Point controversy was a trifling one, and the war with the press was in its earliest stages ridiculous. Cooper's father had permitted the public to use the "Point" as a resort, and a popular impression had grown up in the minds of the residents that he had given it to them. When the novelist returned from Europe the villagers paid no attention to his declaration that, while he had no desire to prevent them from resorting to the "Point," he was determined to insist upon the recognition of the real ownership. A formal warning led to the holding of a mass-meeting, at which resolutions of the most terrible sort were adopted, and then the opposition collapsed, as Cooper proved beyond cavil the legality of his position, and his townsmen knew him too well to carry on a war with him under such circumstances. The local Whig journal, the *Otsego Republican*, having printed the story, with fanciful additions, a prosecution for libel was threatened, and in due course instituted, the plaintiff obtaining \$400 damages. Another suit was instituted against the *Chenango Tele-*

graph. "The leading Whig newspapers naturally took the side of their associates. For a time they had a good deal to say about the greatest slanderer of the whole profession, pouncing upon one of the fraternity least able to defend himself, simply because in a moment of haste and excitement he had been guilty of a technical libel." At the outset the editors were disposed to regard the suits jocularly, and even after the first trial had resulted in his favor this feeling did not die out. Presently insolence gave way to apprehension, and the comments of the press began to assume an expostulatory tone, and finally it was discovered that the liberty of the press was in danger, and that the Democratic judges were conspiring with the plaintiff to muzzle the Whig press. Cooper flew at all sorts of game—at the *Oneida Whig*, at Park Benjamin's *Evening Signal*, at James Watson Webb's *Courier and Enquirer*, at Thurlow Weed's *Albany Evening Journal*, at Horace Greeley's *Tribune*. Thurlow Weed had, in August, 1837, reprinted the Three-Mile Point controversy, with a sarcastic comment. Not until April, 1840, did Cooper move, requiring a retraction. No attention was paid to his demand, and the suit was brought. When it came to trial in November, 1841, Weed did not appear, nor was his counsel present, and Cooper obtained a verdict for \$400. Weed wrote an entertaining description of the trial for the *Tribune*, speaking of the "meagre verdict" as a "severe and mortifying rebuke," and declaring that the value of Mr. Cooper's character had been judicially appraised at \$400, while in his own journal he attacked "this man Cooper." Cooper at once sued both newspapers. Weed denounced "this legal persecution by a man who after libeling his country and calumniating his countrymen, was seeking to muzzle a free press," and began republishing comments from other newspapers unfriendly to Cooper. Cooper's reply took the form of seven suits for libel. The journalist stuck to his post manfully, declaring—and in all probability regarding—himself as the champion of free speech. He was somewhat encouraged by the fact that, though Cooper won two suits in April, the verdicts were for small amounts—\$87 and \$55. In May, however, Cooper gained a fourth suit, with \$325; in September a fifth, with \$200; in October he instituted another one. All these verdicts carried heavy costs with them, and Weed had to pay his counsel fees, so that it is not surprising that in December, 1842, he resolved to let the liberty of the press take care of itself, and publish the desired retraction, Cooper at the same time defeating Greeley and taking a verdict for \$200. Thus the novelist reduced the press to silence, so far as comments on his character were concerned, though, as Professor Lounsbury points out, the victory was a barren one. "It affected at the time his literary reputation, and, as a result, the sale of his writings, and since his death it has been a principal agency in keeping alive a distorted and fictitious view of his personal character." It is only necessary to add one fact—that Mr. Weed was a warm, indeed a bigoted, admirer of Cooper's novels!

*LETTERS OF NOTABLE MEN.*¹

It would be impossible for an editor to make an indifferent book out of a collection of letters exchanged by Carlyle and Emerson—though heaven knows that there are some men of letters who could do it, or at least would earnestly endeavor to do it!—and it is difficult for a critic to speak extravagantly of such a book as Professor Charles Eliot Norton has produced in “The Correspondence of Thomas Carlyle and Ralph Waldo Emerson.” The period covered is a long one—from 1834 to 1872—and of the two men both are sincere, one is sunny and the other forceful. The letters are thoroughly autobiographic, Carlyle’s the more so, and there is a noteworthy absence of gossip, news and discussion of abstract subjects, which of course leaves all the more room for the unconscious and unstudied revelation of the writers’ own and intimate selves. Carlyle appears to much better advantage in this correspondence than in the uncompromising revelations of Mr. Froude. He shows more of himself, too, than Emerson does—or at least seems to show more, for the American very rarely breaks through his decorous classical restraint, while the Scotchman is more Carlyleish than he is in his books. Their friendship was of that staunchest and most satisfactory sort where one man likes to be deferred to and the other is only too glad to defer; where there is an instinctive avoiding of subjects which both do not approach with equal sympathy; where one is lonely and avows his thirst for consolation, and the other constantly tenders the cup, sweetening the draught with praise. The yearning for communion and friendship on the one side, the patient affection on the other, only grew with years until in Carlyle’s age it became a very Lear and Cordelia passion. The difference in their years was not in reality so very great—Carlyle was born in 1795, and Emerson in 1803—but from the very first in these letters Emerson is much the younger, and while we find Carlyle aging visibly, his companion ever remains serene, immortal, young, recalling the lines of the German poet:

“Forever calm, forever pure and bright,
Life flies on pinions zephyr-light
For those who on the Olympian hills rejoice;
Moons wane and races wither to the tomb,
And ’mid the universal ruin bloom
The rosy days of gods.”

The correspondence included in these volumes began soon after Emerson’s return from Europe, where he had visited Carlyle, and the very first letter possesses a curious interest as containing his remonstrance against the eccentricity of Carlyle’s style. “Has literature,” Emerson asks, “any parallel to the oddity of the vehicle chosen to convey this treasure? I delight in the contents; the form, which my defective apprehension for a joke makes me not appreciate, I leave to

¹ The Correspondence of Thomas Carlyle and Ralph Waldo Emerson, 1834-1872. Edited by Charles Eliot Norton. Boston: James R. Osgood & Company, 1883. 2 volumes, with portraits. Pp. 368 and 384.

your merry discretion. Did ever wise and philanthropic author use so defying a diction? As if society were not sufficiently shy of truth, without providing it beforehand with an objection to the form. Can it be that this humor proceeds from a despair of finding a contemporary audience, and so the prophet feels at liberty to utter his message in droll sounds. * * * Believe, then, that harp and ear are formed by one revolution of the wheel; that men are waiting to hear your epical song, and so be pleased to skip those excursive, involved glees, and give us the simple air without the volley of variations. At least, in some of your prefaces, you should give us the theory of your rhetoric!" Carlyle was not slow in expounding the theory of his "spendthrift style." "You say well," he writes, "that I take up that attitude because I have no known public, am alone under the heavens, speaking into friendly or unfriendly space; add only, that I will not defend such attitude, that I call it questionable, tentative, and only the best that I, in these hard times, could conveniently hit upon. For you are to know, my view is that now at last we have lived to see all manner of Poetics, and Rhetorics and Sermonics, and one may say generally all manner of *Pulpits* for addressing mankind from, as good as broken and abolished; alas, yes! if you have any earnest meaning which demands to be not only listened to, but *believed* and *done*, you cannot (at least I cannot) utter it *there*, but the sound sticks in my throat, as when a solemnity were *felt* to have become a mummeries; and so one leaves the pasteboard coulisses, and three unities, and Blair's Lectures quite behind, and feels only that there is *nothing sacred*, then, but the *Speech of Man* to believing Men! *This*, come what will, was, is, and forever must be *sacred*: and will one day, doubtless, anew environ itself with fit modes, with solemnities that are *not* mummeries."

Nor, on the other hand, did Carlyle fail to criticise Emerson, mingling great gentleness with his justness. "We find you a speaker, indeed," he writes after the publication of the "Essays," "but, as it were, a *soliloquizer* on the eternal mountain-tops only, in vast solitudes where men and their affairs lie all hushed in a very dim remoteness, and only *the man*, and the stars, and the earth are visible," and he goes on, while admitting the strength, beauty and simplicity of Emerson's sentences, to suggest that "they did not, sometimes, rightly stick to their foregoers and their followers—the paragraph not as a beaten *ingot*, but as a beautiful, square *bag of duck-shot* held together by canvas." Of his own method of work, and of the pangs and throes amid which his books were produced, Carlyle tells much. He found no joy in composition, and despaired of his calling. Not only was he intent on seeking some other occupation, but he pleaded with Emerson to "quit it, in God's name," even were it for the mattock and the spade. "That book! that weary book!" is his moan concerning the "French Revolution." "This wretched enterprise; the unutterable;" and even when the last line of it is written, "one night in early Jan-

uary, 1837, when the clock was striking ten and our frugal Scotch supper coming in," the author could only pronounce it "a beggarly distortion, that will please no mortal, not even myself," and make his vow, "No such spell shall get itself fixed on me for some while to come." But with the "Cromwell" the agony returned. "I may have to abandon it," he writes, "and then the great dumb Oliver may lie unspoken forever; for I think there will hardly ever live another man that will believe in him and his Puritanism as I do." In Emerson, on the other hand, whenever there is a casual allusion to his books or his work, there is neither the violence nor the vanity of Carlyle. Their judgments—indeed, their notices of their brethren of the literary craft, are not frequent. Carlyle sketches Tennyson vividly: "One of the finest-looking men in the world; a great shock of rough, dusty-dark hair; bright, laughing hazel eyes; clothes cynically loose, free and easy; smokes infinite tobacco. I do not meet in these late decades such company over a pipe." Thackeray he describes as "a big, fierce, weeping, hungry man, not a strong one, of many gifts and qualities, particularly in the Hogarth line, with a dash of Sterne super-added." Landor, "a wild man whom no extent of culture had been able to tame; painful as a writer, like a soul ever promising to take wing into the æther, yet never doing it; ever splashing web-footed in the terrene mud, and only splashing the worse the more he strives." Coleridge, "How great a Possibility, how small a realized Result!" Wordsworth, "a natural man, which means whole immensities here and now; flows like a natural well, yielding more wholesomeness, though, as it would not but seem to me, in *small* quantity and astonishingly diluted. *Franker* utterance of mere garrulities and even platitudes I never heard from any man; at least never whom I could honor for uttering them." One of the most striking of Emerson's characterizations is that of Walt Whitman's "Leaves of Grass," "a nondescript monster, which yet had terrible eyes and buffalo strength, and was indisputably American." Emerson, too, contributes one of the most striking "bits" of the two volumes in his letter of March 12, 1835. "Through the thickest understanding will the reason throw itself instantly into relation with the truth that is its object whenever that appears. But how seldom is the pure loadstone produced. Faith and love are apt to be spasmodic in the best minds. Men live on the brink of mysteries and harmonies into which yet they never enter, and, with their hand on the door-latch, they die outside."

It may well be doubted whether the Anglo-Saxon world will have submitted to it for many a year to come such a literary treasure as is here presented. Literary friendships are not new, or, indeed, unusual things, but we may challenge the most complete record of them to produce such another association. The editor has had the good taste to suppress himself, to let Carlyle and Emerson speak, and to confine himself to furnishing such notes and explanations as were needed to complete and facilitate the reader's enjoyment. For this and the

careful and copious indexes of the two series of letters he will receive the thanks of the legions of readers upon both sides of the Atlantic that the book will surely attract and delight.

ONE OF THE PRESIDENTS.¹

James Monroe is one of the unlucky men of our history. Of his great capacity, the eminent services which he rendered to his country, his sound judgment, his unselfish devotion, his honorable scrupulousness in official life, it is not possible for any thinking man to doubt, yet the fact remains that he has not been, and is not now, adequately appreciated by his countrymen. This neglect it is not difficult to account for. His memoirs, letters and official documents have not been collected and printed, though the papers of his four predecessors in the presidential office have been preserved in convenient form for the student or general reader, nor has any adequate memoir of his life been written. Washington, Hamilton, Jefferson, Marshall—all these greater men have stood between him and immortality. He was neither a great writer nor an accomplished orator. Finally, he attained to the foremost position in American politics at a time of slackwater. Political animosities there were none. The old order was changing, giving place to the new, and the era of good feeling was about to be succeeded by the tempests of the administration of the younger Adams and the revolutionary tide that set in with Jackson. In the turmoil that followed after the retirement of Monroe, his administration and his personality were forgotten, and when in the fullness of time Americans had leisure to look back, study and write, another layer of issues and hatreds and romances had been superimposed upon that of the Jacksonian era, under which Monroe was buried. The injustice done to Monroe was later to be repeated in the case of Polk. Although Polk's administration witnessed a change of tariff, the establishment of the independent treasury system, the settlement of the Oregon boundary and the Mexican war, less than a page is devoted to him in the cyclopædias, and Monroe has barely two pages.

In so far as it lay in the power of President Gilman to atone for this injustice by the preparation of a well-written, concise and sympathetic memoir, the injustice has been repaired, and he has further made his volume noteworthy by an excellent bibliography of Monroe and the Monroe Doctrine, and extracts from the unpublished *Gouverneur* and Monroe manuscripts, to say nothing of the production in full of Washington's notes upon the appendix to Monroe's "View of the Conduct of the Executive." He has resisted the temptation to be rhetorical in such chapters as those treating of the Louisiana purchase and the French mission of 1794, and the section in which the Monroe Doctrine

¹ James Monroe, in his *Relations to the Public Service During Half a Century*. By Daniel C. Gilman. American Statesmen Series. Boston: Houghton, Mifflin & Co. 1883. Pp. 287.

is discussed is a model of judicious arrangement and condensation. As a rule, he tells us, Monroe was not very skillful with his pen, nor are his remarks on public affairs often quoted. "There was nothing racy or severe in his style; nevertheless, he alone of all the presidents has announced, without legislative sanction, a political dictum which is still regarded as fundamental law, and bears with it the stamp of authority in foreign courts as well as in domestic councils." Upon the famous passages in the message of December 2, 1823, with which Monroe's name will ever be identified, the author remarks, very justly, that Monroe in all probability had but little conception of the lasting effect which his words would produce. "He spoke what he believed and what he knew that others believed; he spoke under provocation, and aware that his views might be controverted; he spoke with authority after consultation with his Cabinet, and his words were timely. But I do not suppose that he regarded this announcement as his own. Indeed, if it had been his own decree or ukase, it would have been resented at home quite as vigorously as it would have been opposed abroad. It was because he pronounced, not only the opinion then prevalent, but a tradition of other days which had been gradually expanded, and to which the country was wonted, that his words carried with them the sanction of public law." At the very beginning of the national life of the United States was the idea of independence from foreign sovereignty. The term "Continental" applied to the Congress, the army, the currency, had familiarized the people with the notion of a continental independence—had kept in mind the notion of a continental domain. Passages from the writings of Pownall, Monroe, Jefferson, Washington, Adams, Madison and others, are quoted to establish the fact that the fathers of the Republic recognized most clearly the value of separation from European politics, and of repelling, as far as possible, European interference with American interests, and Sumner's claim that "the Monroe Doctrine proceeded from Canning," and that the great English statesman was "its inventor, promoter and champion—at least so far as it bears against European intervention in American affairs"—is justly rejected.

The best testimony to Monroe's character and capacity is furnished by his accomplishment and the esteem and affection of his contemporaries. "He served with gallantry in the army of the Revolution and was high in office during the progress of the second contest with Great Britain, and during the Seminole war; he was a Delegate and a Senator in Congress; he was called to the chief legislative and executive stations in Virginia; he represented the United States in France, Spain and England; he was a member of Madison's Cabinet, and directed (for a while simultaneously) the Departments of State and War; he was twice chosen President, the second time with an almost unanimous vote of the Electoral College; his name is given to a political doctrine of fundamental importance; his administration is known as 'the era of good feeling.'" To be and to do all this is

to disprove sufficiently any charge of mediocrity that might be brought against the man who represented consistently, from the beginning to the end of his career, that America is for Americans. Wirt called him "a man of a most sincere and artless soul," and Jefferson "a man whose soul might be turned wrong side outwards without discovering a blemish to the world." Madison's eulogy of his life-long friend was not warmer than John Quincy Adams's praise of "a mind, anxious and unwearied in the pursuit of truth and right, patient of inquiry, patient of contradiction, courteous even in the collision of sentiment, sound in its ultimate judgments, and firm in its final conclusions." Calhoun, Webster, Benton, McLean, all bear testimony to the same effect.

There could be at the present time no better figure held up for the contemplation of Americans than that of the brave and honest man whose life and work are here recorded. He was never exposed to the charge of nepotism, and carefully avoided the recognition of family and friendly ties in all his appointments. His hands were clean, and he grew poor in the service of his country. When his second term of office was drawing to a close, though three of the recognized candidates for the succession—Adams, Crawford and Calhoun—were in his Cabinet, he observed the most scrupulous neutrality, and they imitated his "wholesome fastidiousness," as Kennedy has called it, when speaking of that era when "it was not considered decorous in the Executive to make itself a partisan in a presidential, or any other election." In his retirement his constant aim was to do and say nothing unbecoming in an ex-President of the Republic; he rarely, if ever, expressed his opinions of public men or measures, except confidentially; he would not even serve on the electoral ticket in Virginia in 1828. "He was a faithful husband, father, master, neighbor, friend. He was industrious, serious, temperate, domestic, affectionate. He carried with him to the end of his life the good-will and respect, both of his seniors and juniors." How many a man has won popularity and perpetual remembrance of whom the half of this could not be said!

*AN ARCTIC SEARCH.*¹

The title of Mr. Gilder's book, "Ice-Pack and Tundra," bespeaks the newspaper man, apt at devising a "taking" headline. In his handsome volume he has presented in a permanent form his letters to the New York *Herald* from the Rodgers and from Siberia, having pruned and rearranged them, and reinforced their text with many excellent illustrations. In all respects "Ice-Pack and Tundra" indicates a decided advance over the author's earlier volume, "Schwatka's

¹ Ice-Pack and Tundra: An Account of the Search for the Jeannette, and a Sledge Journey through Siberia. By William H. Gilder. Charles Scribner's Sons, New York, 1883. Pp. 344. With map.

Search," although in it he is at the disadvantage of dealing with a more familiar region and with events that have been before every newspaper reader in the United States for months past. If for the scientist or special student the book contains but little that is novel or of extreme value, it is yet a useful and concise record of an important episode in Arctic exploration; it presents a fairly comprehensive and accurate description of life in Eastern Siberia to those to whom the subject is a new one, and as a personal narrative it is fresh, graphic and interesting. While Mr. Gilder does not obtrude his own self upon the reader, as a less experienced and accomplished traveler and author would be but too apt to do, his personal experiences would make a very interesting and exciting chapter in that "History of Special Correspondents" which, whenever it is written, will prove one of the most fascinating books in the world. In mid-winter, after the destruction of the Rodgers, he is called upon to travel to the telegraph station, in Eastern Siberia, to carry the news of the disaster. He sets off with a rascally Russian, who has formed a private and personal plot to detain his companion and utilize him as a fisherman and a Kamtchadal dog-driver, faring sumptuously on frozen weeds mixed with seal-oil and blubber, walrus-meat, and walrus-hide with the hair on. The weather is ferociously stormy—*peorgas*, the equivalents of our own "blizzards," beat upon the travelers, and blow them and their dog-trains over precipices. On the Kolyma river, under official protection, travel was more comfortable, even luxurious; but when later on he was caught in a flood on the Aldan, he had to spend several days in a brush hut in a swamp, where at times the rising river covered the ground with water, and the besieged were fain to contemplate retreat to the trees. For all food he had the flesh of one of his horses which was killed, and for tobacco pine-bark chopped up fine and mingled with the crushed fragments of an old pipe, rank with nicotine. Presently the floods subsided, and communication being reestablished with his base of supplies, he was able to add to his boiled horseflesh the luxuries of cakes of ryemeal and water plastered on twigs and baked by being held over the fire, and tea boiled in the soup-kettle and retaining somewhat of its flavor. After this experience his lot was cast in the land of the Yakouts, flowing with milk and honey, or, to speak more accurately, milk and pounded pine-bark, with which were usually boiled a mess of minnows, though he disdained such dainty fare, and preferred to make shift with the wild ducks and geese, which were to be purchased in abundance at nominal prices. Finally, at Yakoutsk, he was greeted by an envoy from the Governor with a beef-steak and "several interesting-looking bottles," and was a "civilized man" (who "cannot live without cooks") once more.

AP The International review
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